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EVIL DAYS FOR THE UNITED NATIONS

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Giving Up on Democracy

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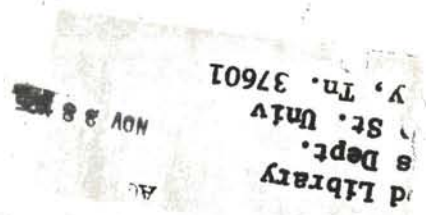
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LETTERS

question and answer

Naperville, Ill.

"Depression and the Welfare State: Dead End of an Ideology" by David Bensman and Luther Carpenter [*The Nation*, Nov. 8], is an excellent intellectual analysis of "capitalism stinks." Unfortunately, those who profit from the system isolate themselves from the stench and squalor and if, indeed, they do on occasion make contact it is to blame it all on human shiftlessness.

We have any number of good statements of what is wrong with the system of exploitation and oppression. What is needed is a statement of how to make the needed social changes. Post-revolutionary programs have an aura of unreality. In those societies where effective programs exist for the people they have been implemented usually following the overthrow of special privilege.

The question is, "how to get the power into the hands of the people?" That is the answer we need previous to drawing up blueprints for constructing the new society. *Rev. Eugene Kreves*

The Reverend Kreves will find one answer to his question in Alan Wolfe's article, published elsewhere in this issue. The Editors

local pride

Perkinsville, Vt.

As an inhabitant of the "northernmost banana republic" my local pride and personal vanity were aroused by Jonathan Maslow's "Third Party Phoenix: The Liberty Union of Vermont" [*The Nation*, Oct. 18]. . . . What presents itself as a liberal, even leftist, analysis is ill-informed, elitist and just generally snobbish.

First, you should have explained in greater detail the laws peculiar to this banana republic. Vermont now has land-use control administered at the local level, water pollution laws whose enforcement is now nearly complete after a decade of work, air pollution laws not yet needed, nuclear power safeguards stricter than those of the federal government, tax laws which attempt to reduce the burden on working farmers, laws prohibiting billboards on state highways . . . and a correction system which operates without a maximum security prison (more the result of Yankee frugality than enlightened theory, I admit). There are even some new ideas not yet implemented in more liberal states like Massachusetts, such as a graduated income tax and a ban on nonreturnable bottles. . . . Even in the area of gun control, always a touchy issue in rural areas, Vermont has quietly taken a step forward by requiring applicants for hunting licenses to pass a safety instruction course, similar in concept to those given drivers of cars. . . .

The article errs on a much more fundamental point. Mr. Maslow regards the latest events in Vermont as primarily the result of leftist students moving into the state, with perhaps some help from a few old die-hard radicals back in the hills. The majority of Vermonters are portrayed as politically unsophisticated peasants who do not appreciate the true importance of politics but instead used the legislature as a sort of informal welfare system. Only now, he claims, with the aid of young radicals, are Vermonters taking steps the rest of the country made in 1935.

I would claim the opposite—the Vermont attitude toward political institutions is not a lack of sophistication but an instance of it. Peasants often have more sense than political scientists. Vermonters did not reject the political philosophy of the New Deal, the belief in a centralized government as a solution, out of naïveté or apathy but out of active antagonism. There is a deep suspicion in the hills of political institutions of all types, and of people who make their living by telling others what to do, especially when the bosses live out of town. . . . It is this attitude that underlies both the rejection of the New Deal philosophy a generation ago and the new politics of today. The Liberty Union Party is only the most recent manifestation of these beliefs, and not a political ideology imported from "away."

The Liberty Union Party is typically Vermont in its focus on issues, not candidates—no fancy ideology, no self-proclaimed saviors, simply a concern with getting things done. Nor are such

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EDITORIALS

The Summit at Rambouillet

The seventeen-point joint statement that resulted from last week's meeting of the six major capitalist powers at Rambouillet can be read on several levels, most of them discouraging. The major achievement of the summit, to judge from news reports, was an agreement to work toward stabilization of exchange rates—something that, if accomplished, would provide an important check against international monetary chaos. On its surface level, the text for the most part promised continued individual efforts at economic recovery, coupled with warnings of inflationary dangers and vague talk of transnational cooperation. Transnational, not international. For the meaning of the text was in its point of view, which was that of the six most powerful capitalist governments, still careening through a worldwide recession-depression, uncertain where it will lead, and fearing both increased, compelling demands from Third World nations and movements toward the Left throughout Europe.

Leaders of France, the United States, West Germany, Japan, Italy and Britain—whose nations are the chief targets of the have-not states—asserted that the world's prosperity depends upon their own, still relatively lavish economic health. According to the text, "early practical action is needed to assist the developing countries." Yet "developing" is precisely what many of the world's industrially poor nations are not doing. As Flora Lewis pointed out in a trenchant analysis of the summit for *The New York Times*, "'Growth' was the cure offered for all that ails." But "growth" for the industrial nations in their relations with the Third World has meant, historically, greater plundering of raw materials and a resultant widening gap between the world's rich and impoverished.

"Priority should be given to the poorest developing countries," says the text, but what that means is "stabilization of the export earnings of developing countries"—in plainer words, freezing what the Third World gets for the food, fiber and minerals it sells to the industrial nations. The six countries at Rambouillet implicitly recognized what this freezing would mean—continued, perhaps greater, inability of the Third World nations to pay their debts to their industrialized financiers—and so proposed to "assist them in financing their deficits."

But the growing international consciousness among the nonindustrial nations has led them to expect not just longer term, interest-bearing loans but a bigger share for their people of the world's income and wealth. The oil-rich nations have achieved this by jacking up the price of their exhaustible resources, but while their cartel action has placed most of them among the world's rich, it has not realigned the world economy in any fundamental way. Some of the poor nations' leaders, Lewis writes, "have begun to chafe at the huge amount of world resources siphoned off by continuing material growth in the industrial countries"—which, within a decade or so, may well include several of the oil exporters. "What they want" are "the facilities—capital and technology—to develop and use more of these resources themselves." And that is just what

the industrial powers have generally refused to provide.

The summit failed to address the concerns of the poor nations in any positive way, and the agreement to pursue a transnational dialogue, more than anything else, marks the hardening of international lines. The summit was a quite understandable response to the continuing worldwide economic malaise. But its outworn rhetoric of trickle-down economics (displaying more than a coincidental similarity to President Ford's domestic economic analysis) won't solve anyone's problems. A formal cartelization of the world's industrial rich might produce a temporary economic boom, if "growth"—meaning accelerated exploitation of both their own and the Third World's environment—were vigorously pursued, but over time such an acceleration would dangerously exacerbate environmental poisoning and depletion and make dangerously desperate, from the cartel's perspective, the hunger of Third World people for a life decent by even the lowest Western standards.

The agreements at Rambouillet and other recent defensive moves by the industrial nations at least hint at the possibility of such a course. They certainly raise doubts about the superficially conciliatory comments made on September 1 by Secretary of State Kissinger—and read by Ambassador Moynihan at the United Nations. Third World nations have good cause to suspect the motives of the United States and other industrial powers in negotiations over the world's resources. The joint statement serves notice that, while the rhetoric may be changing, the substance of neocolonial relationships has been preserved. For the six at Rambouillet, nothing seemed to have been learned, nothing forgotten.

Rejected Nominees

President Ford's inclination to make ill-considered nominations to government jobs he controls (see "Bad Appointments: Bad Politics," *The Nation*, November 15) has finally begun to organize Congressional resistance. Within two weeks, three of Ford's appointees were rejected by Senate committees.

On October 30, the Senate committee killed his nomination of beer magnate Joseph Coors to the board of the Corporation for Public Broadcasting. Coors had been connected with an outfit called Television News, Inc., and his appointment to the CPB board constituted a clear conflict of interest. On November 12, the Senate Banking, Housing and Urban Affairs Committee rejected Ford's nomination of former Rep. Benjamin Blackburn (R., Ga.) to head the Federal Home Loan Bank Board. Civil rights forces contended that Blackburn's opposition to civil rights legislation as a member of Congress from 1967 to 1974 made him unfit to head an agency that helps administer the 1968 Fair Housing Act. But what clinched the rejection, reported John H. Averill in the *Los Angeles Times*, was Sen. William Proxmire's disclosure that at a closed House subcommittee meeting in 1972 Blackburn had advocated public hangings as a way to make sure that public housing tenants paid their rent. Blackburn said he had only been joking but, according to Averill, "from that moment Blackburn's nomination was doomed." A day later, the Commerce Committee voted down Ford's nomination of

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No. 18

Isabel A. Burgess for a second term on the National Transportation Safety Board. Among the objections raised to her continued participation on the accident investigating board were her failure to disclose, as the law required, her ownership of Allegheny Airline stock, her participation in cases involving Allegheny, her acceptance of free transportation from airline companies regulated by the board and what the committee staff called an "abnormally high absentee rate from board meetings and unusually high travel expenses in relation to other members of the board."

Ford seems to be carrying on his predecessor's tradition of making nominations which show little concern for high competence and independence—the two criteria which should come first in any selection of nominees. A Congressional study released early this month showed that twenty-four, or more than half, of the forty-five persons appointed to nine federal regulatory commissions over the past five years had been connected with the industries they were named to regulate. During the last fifteen years—eight years with a Democratic President, seven with a Republican—only 30 per cent of the 120 appointees had relevant ties. So Democratic nominations apparently were considerably more independent, though, over that fifteen-year period, thirty-two of the eighty-five persons who left the agencies went to work within five years for the industry they had regulated. If President Ford is truly committed to the regulatory reform he espouses, here is an area that deserves high priority for his efforts.

But Ford's record does not encourage much hope for his commitment to public-interest regulation, so responsibility in that area falls to Congress. The Senate committees' rejection of Coors, Blackburn and Burgess indicates that appointees are being scrutinized with more diligence than they were in the past. Systematic reform is necessary to improve the quality of bureaucratic regulation and remove the grip interest groups have on the agencies assigned to control them. The three rejections at least serve notice on Ford that, for his nominations at least, he has something less than *carte blanche*.

Royal Superstition Down Under

The medieval superstition that "the King can do no wrong" has just destroyed the Australian Government.

The Labour government, in a nation which since the end of World War II had been one of America's most obsequious allies and which until this month regarded itself as a free democracy in the American tradition, was dismissed by the representative of Queen Elizabeth II of the United Kingdom, Governor-General Sir John Kerr. Until this month, the popular assumption had been that the only unchallengeable exercise of power in Australia was that of the people in an election. Sir John spectacularly destroyed that assumption and made clear that his—the Governor-General's—power prevailed. The will of the people, expressed by returning a party with a majority in the popular house, the House of Representatives, was subject to unilateral revision by the Queen's representative.

Sir John's authority derives from Elizabeth II and her predecessors, extending back to William the Conqueror. So there is no remedy within the constitutional process for an error of judgment by the Governor-General. Prime

Minister Gough Whitlam could resist Sir John's withdrawal of his commission only by suspending the Constitution and declaring a Labour junta. Had he tried it—a fantastically unlikely possibility—Australia's 13 million people might now be fighting a civil war.

Sir John's action, though unchallengeable, is constitutionally grotesque for three reasons. In the first place, it is unprecedented. The residual powers of the Governor-General (like those of the Queen) are not defined by any written law. They are defined by precedent, and since no Australian Governor-General had ever dismissed any Prime Minister for any reason, Sir John had no precedent on which to rely. (Though by his action he has *created* a precedent on which his successors, and perhaps Sir John himself, can rely. He has created law by Executive action, a thing that is a defining characteristic of dictatorship.)

An indirect precedent was created in 1932, when Sir Philip Game sacked the New South Wales Premier John Lang, because Lang had repudiated debts owed by the state to the federal government and to overseas lenders. This action caused a first-class constitutional and political brouhaha and was still being debated in Australian law schools this year. But Sir Philip had much firmer grounds than Sir John on which to act: he observed accurately that if he had any responsibilities, they should extend at least to the maintenance of the law in New South Wales. He could not permit a state government to act illegally.

In the second place, Sir John exceeded the power of the granter of his own authority (the Queen still formally appoints Governors-General, though this is now done only on the advice of the Australian Government). Queen Elizabeth, under the unwritten conventions of the U.K. Constitution, does not have the power to fire Harold Wilson. (Sir John also made Australia look more like a

ANNOUNCEMENT

On December 16, 1975, Ralph Nader is sponsoring a dinner in tribute to two congenial magazines: *The Nation* and *The Progressive*, the well-known monthly founded by Robert LaFollette and published in Madison, Wisconsin.

John Kenneth Galbraith will preside. Speakers will include Senator Frank Church of Idaho, noted cartoonist Herbert Block, Eleanor Holmes Norton, Chairwoman of the New York City Commission on Human Rights, and Mr. Nader.

The dinner will be held at the Waldorf Astoria, Park Avenue and 50th Street, New York City. Reservations will be \$100 per person. Proceeds will be divided between our two publications, and used to strengthen our voices by increasing readership.

We hope that all of our readers who possibly can will attend this important event. Your help is urgently needed!

Please make checks payable to Nation-Progressive Fund, care of *The Nation*, 333 Sixth Avenue, New York 10014. (If you cannot attend the dinner, your contribution to the Fund will be more than welcome.)

colony than the other remaining members of the old British Commonwealth, Canada and New Zealand. In neither of these countries could the Governor-General do what Sir John did.)

In the third place, Sir John justified his action on the manifestly false ground that it was "the only solution consistent with the Constitution and with my oath of office and my responsibilities, authority and duty as Governor-General." Two other solutions, both within the mainstream of constitutional convention in Australia, were readily at hand.

Sir John could have done what the Prime Minister was in the process of asking him to do when he slipped him the letter of dismissal—hold an immediate election for that half of the Senators whose term is scheduled to expire in 1976. This election, had it taken place, might have resolved the month-old constitutional crisis without the extraordinary intervention of the Governor-General. The crisis had arisen because the Senate, in which the conservative parties had a majority, had cut off the government's money by declining to pass the Supply Bill. The Senate's action, also unprecedented and possibly unconstitutional, had brought Australia to a damaging confrontation between government and Opposition, with both the Prime Minister and Opposition leader Malcolm Fraser, contemptuously refusing to yield ground. The government had a fair chance of obtaining a majority in the Senate in a half-Senate election. Of course, if the Opposition had won, the crisis would have been unaffected except that the pressures on Mr. Whitlam to call a general election would have been greatly increased.

Sir John could also have done what his predecessors throughout Australia's short (seventy-five-year) history of federation have done: nothing. That would have left the responsibility for political consequences in the hands of the politicians.

Sir John's action set in motion the only solution unacceptable to the government and the only solution acceptable to the Opposition: a general election of both the House of Representatives and the Senate. This was unacceptable to the government, and acceptable to the Opposition, for the same reason: Australia's 5.2 per cent of unemployment, 16 per cent inflation and a series of incompetent blunders by ministers, had made the government's defeat a certainty.

Because of the anger and resentment generated by both of these constitutional adventures, the government's defeat is now no longer certain. The Governor-General has become the major issue of the campaign, even though he cannot be personally affected by it: neither the occupant nor the office is subject to discipline in an election.

If Mr. Whitlam wins the December 13th election, he will probably have the momentum to get the electorate to carry a constitutional amendment writing the Governor-General out of existence. Should he do so, there will be profound satisfaction among most Australians. Sir John has dramatically advanced the republican cause in Australia.

Though American correspondents in Australia are reporting that "profound changes" in the way Australia is governed may result from the election, the abolition of the Governor-General would be a profound change mainly in a psychological sense. But if the precedent established by the conservatives and endorsed by the Governor-General is

followed, there may be a series of short-lived governments Down Under. As the experience of the Labour government shows, a government unsure whether it may be forced to the polls next month or the month after can do very little in the way of planning and successfully implementing legislative policies. The conservatives, with Sir John, have struck a potentially very damaging blow for political instability in Australia.

Robert Pullan

Robert Pullan is an Australian newspaper correspondent based in New York.

Teamsters Justice

Never mind that the mysterious disappearance of Hoffa remains unsolved. Never mind that the federal grand jury investigating it has stalled, with U.S. Attorney Ralph Guy saying, "We're just hoping for a good lead." Never mind that, according to his family, on the day he disappeared Hoffa was going to meet Anthony Provenzano. Never mind that Provenzano, a former Teamsters vice president and Hoffa protégé, was convicted of extorting money from a trucking company in return for labor peace. Frank Fitzsimmons, president of the Teamsters and no doubt a beneficiary of Hoffa's removal from Teamsters politics, says: "I think Tony is a wonderful man, and if I decide I need an organizer or I need him, I'll appoint him. That's all."

With Hoffa no longer a threat to his leadership, what Fitzsimmons says goes. He chose to honor Provenzano with a \$100-a-plate dinner at the Americana Hotel in New York on November 9, and 1,600 came to pay their respects. On November 19, it was five years to the day that Provenzano was paroled—under the condition that he stay out of union politics for five years. When Charles T. Powers, a *Los Angeles Times* reporter who covered the Teamsters banquet, asked Fitzsimmons for specifics about Provenzano's future, the Teamsters president refused to elaborate. But it was evident that Provenzano might soon be a part of the Fitzsimmons regime.

If and when he's given another Teamsters post, Provenzano won't be the first of Hoffa's entourage to be rewarded by Fitzsimmons. Hoffa's foster son, Charles O'Brien, was recently given a top job with the Teamsters in Florida. The FBI, in an affidavit filed in August, said there was probable cause to believe that O'Brien helped "facilitate an abduction of Mr. Hoffa." O'Brien, reports *The Christian Science Monitor*, "has steadfastly refused to cooperate with the FBI or the grand jury" exploring Hoffa's disappearance.

Neither Provenzano nor O'Brien has been indicted, and no presumption of guilt should be made on the basis of unproved accusations. But Fitzsimmons had no business embracing either of them while they were under suspicion, and that he did so says much about his lack of commitment to a solution of the case. At the dinner, reports Powers, Fitzsimmons acknowledged that he and the Teamsters leadership were having some problems with the media. "I realize," Fitzsimmons said, "that some of the publicity has to do with the unfortunate disappearance of Jimmy Hoffa. I want to say that I have no more idea what happened to Hoffa than anyone in this room does."

"The comment," Powers wrote, "at least in the back of the room, was received with soft, but distinct laughter."

Evil Days for the United Nations

Anne Tuckerman

If the United Nations were an erudite society composed of sociologists and jurists, it might attempt to quell the uproar caused by the General Assembly's approval of the resolution equating Zionism with racism by attempting to define Zionism and racism, both of which terms are charged with emotion and subject to various interpretations. But discussions in the U.N. halls are seldom academic, and in the case of the recent resolution, the underlying motivation of the hate-laden diatribes from Arab extremists seemed designed to enlarge the front against the state of Israel by mobilizing the prejudice and passion which have existed for centuries against the Jews. The articulate representative of Kuwait, Fayez Abdallah Sayegh, and Saudi Arabia's Jamil Baroodi stated repeatedly that they did not embrace anti-Semitism and that the Jewish faith was not their target. The result of their speeches, however, was to rekindle embers and to provide international sanction for anti-Semitism by governments and individuals alike, if they are so minded. In the political climate of today, the distinction between anti-Zionism and anti-Semitism often becomes a question of semantics.

The representative of Israel, Chaim Herzog, was impelled by an historical coincidence to recall that November 10, the day the resolution was passed, was the thirty-seventh anniversary of the *Kristallnacht*, "The night of the crystals, when Nazi storm troopers launched a coordinated attack on the Jewish community in Germany," and broken glass from the windows of Jewish stores and synagogues littered the streets.

The new anti-Zionist "crusade" started in Mexico last summer at the International Women's Conference, when a Zionism-racism equation that was written into the "Declaration of Mexico" provided a jarring climax to the politicalization of this meeting at the expense of women's struggle for equal rights. At the U.N., implementation of "The Decade for Action to Combat Racism and Racial Discrimination," proclaimed unanimously in 1973 by the General Assembly against the policies of white minority regimes in South Africa and Rhodesia, was chosen by Syria, Algeria, Libya, Iraq and Cuba, among others, as the framework for their attempt to have Zionism condemned. They decided to use the Social Committee of the General Assembly as the forum for this maneuver, which was to replace unsuccessful attempts to have Israel expelled from the General Assembly, as South Africa had been in 1974. This proposed ouster had failed to persuade a majority of Africans at the Conference of the Organization of African Unity in Kampala, or to gain the needed support from the nonaligned states at the Lima Conference in the summer.

Not only did the Zionism issue "steal" the focus of the debates on racial discrimination in the Social Committee but most of the thirty-five countries which opposed the resolution linking Zionism to racism made known their intention not to participate in the measures provided for implementing the Decade—now, as Ivor Richard remarked, that it had undergone "a mutation." France's Louis de Guiringaud changed his vote in favor of the Decade after the passage of the Zionism resolution. The Scandinavian countries, mainstay in the Western world of

the struggle against apartheid, voted against the Decade's program. The United States—and it was not alone among the usual wealthy contributors—announced forthwith that it would withdraw any financial aid for the Decade and for the conference in Accra which is to mark its midpoint in 1978.

The Arab extremists did not draw a united front from the Third World countries. Five African countries voted against the Zionism resolution and twelve abstained. In fact, this text—adopted by seventy-two votes against thirty-five, with thirty-two abstentions—trailed far behind all past U.N. resolutions against Israel, which usually enjoy an overwhelming majority. In this sense, it marked an end to the isolation of Israel. All Western European countries called the resolution an outrage. It is also noteworthy that the Soviet Union and its allies, which voted for the resolution, remained silent during the long hours of the debate, with the exception of East Germany, whose representative felt impelled to state his government's official opposition to anti-Semitism.

What of the consequences?irate members of Congress have announced a drive to react drastically to the U.N.'s "obscene action." Rep. Donald Fraser (D., Minn.), a member of the U.S. Delegation at the General Assembly, predicted a cut in appropriations for U.N. development programs and for aid to individual countries that voted for the resolution. The anti-U.N. sentiment and the resistance to foreign aid engendered by the present economic squeeze will be reinforced.

The reaction of the administration, however, will probably not be harshly punitive. As a White House spokesman has already announced, there is no thought of the United States withdrawing from the U.N., and the complex search for a settlement in the Middle East has a higher priority than U.N. hate-ridden resolutions and oratory. This search will be made the more difficult by the votes of November 10, and that is no accident. The Arab countries which oppose Egypt's move toward accommodation with Israel sought to sabotage Cairo's position and Henry Kissinger's step-by-step approach, first by having the General Assembly, on the same Monday, endorse the PLO as the key factor in any negotiations, then by heating up emotions around the Middle East problem. Egypt had to follow willy-nilly, and Israel is more likely now to return to the tough attitude which it had softened with great reluctance.

The main victim will be the U.N. itself, in its attempt to retrieve a role for cooperation, especially in the economic field, and to act as an instrument for harmonizing the interests of the haves and the have-nots. The highest officials of the U.N., the Secretary-General and the President of the General Assembly, have taken the unprecedented step of commenting on a General Assembly decision. Kurt Waldheim called attention to "the critical situation which has arisen . . . and which reflects a deep and bitter division among the membership." Obviously apprehensive about the financial future of some U.N. activities, he urged all member states "to remember how much we have to gain by working together and how easily we may lose the future through discord and confrontation."

President Gaston Thorn went even further when he "deplored that the whole policy of rapprochement and concerted action should be jeopardized, senselessly because it was unnecessary, since some extremists did not realize that one could go too far." He added boldly that the vote "was the unhappy product of pressure by those who wanted to impose a point of view which is historically and

philosophically false." President Thorn was not the first General Assembly President to take a political stand, but he later withdrew into his position as Prime Minister of Luxembourg when he came under pressure from a number of Arab states which threatened to censure him, a situation which would have resulted in a more serious, more immediate and more prolonged crisis.

CAN HUGH SCOTT TOUGH IT OUT?

STEVE NEAL

Philadelphia

Senate Minority Leader Hugh Scott would like to seek reelection in 1976. He glories in his role as first among thirty-seven Republican equals, and he cherishes the trappings of his position—the chauffeured black limousine, the Tuesday breakfasts at the White House with former sidekick Gerald Ford, the opulent suite of Capitol offices decorated with pieces of ancient Chinese art.

Five years ago, modestly billing himself as "The Most Powerful Senator Pennsylvania Ever Had," Scott easily defeated a weak Democratic opponent. Because he is the first man from the Keystone State to hold a major leadership role on Capitol Hill since the 1870s, when Samuel J. Randall of Philadelphia was House Speaker, Scott has appeared almost invincible.

But something is happening in Pennsylvania, and Scott, long considered the state's most skillful politician, is in trouble. The latest poll taken for the State Republican Committee reportedly shows him losing to any of three prospective Democratic opponents: Pittsburgh Mayor Pete Flaherty, Lieut. Gov. Ernest Kline and Auditor General Robert Casey. The poll also registered Scott's vulnerability to a likely primary challenge from Rep. H. John Heinz, 36, of Pittsburgh.

The biggest factors working against Scott are his age (he was 75 on November 11) and his knee-jerk defense of Richard Nixon during Watergate, culminating in the incredible declaration that he had seen documents which would "exculpate" Nixon and discredit John Dean. Plans have been made to capitalize on that scene in television ads if Scott runs.

Although he is well aware that he could be trounced by the voters, becoming the first Senate GOP floor leader since 1932 to be thus humiliated, Scott continues to act like a candidate. He has appointed a finance chairman and campaign manager. He recently made campaign appearances in Philadelphia and Pittsburgh. And, he has publicly mocked one of the Republicans currently eyeing his Senate seat. His junior colleague, Sen. Richard Schweiker, thinks Scott will run.

"If I run, I'll win," Scott says. "I've always had tough predictions. Election Day tells." For more than two years he has talked of winning a fourth term to cap his career, but the gloomy forecasts have forced him to reconsider his options. He has hinted he would like to become ambassador to China, and that possibility was being mentioned

earlier this month, when President Ford nominated George Bush, our representative in Peking, to be director of the CIA. Scott will announce a decision on December 4.

His retirement would set the stage for a bitter struggle for the Senate Republican leadership, probably a struggle between Minority Whip Robert Griffin of Michigan and John Tower of Texas, chairman of the GOP Policy Committee. It would also bring about major shifts in Pennsylvania's Republican establishment. Scott has been a dominant force in the state party's hierarchy for more than thirty years.

While he has cultivated a liberal image throughout his career, mainly on the strength of his civil rights record, there is really nothing liberal about Scott. His flexibility and elusiveness on controversial issues are legendary. Indeed, his political philosophy might be described as a shell game without a pea. "Scott has always managed to get away with being on all sides of an issue, often at the same time," marvels one Pennsylvania legislator.

Scott came out for gun control when the assassinations of Robert F. Kennedy and Martin Luther King made that a popular cause, but doubled back when the gun lobby in Pennsylvania helped defeat Democratic Sen. Joseph Clark. It was all a mistake, Scott wrote in *Guns and Ammo* magazine; he had been carried away by the "malaise." He backed the Supreme Court nomination of G. Harrold Carswell, but later received a standing ovation from a black audience in Philadelphia by calling Carswell a racist and boasting that he had fought the "Southern strategy." Last spring, Scott voiced discontent with President Ford's never-say-die policy in South Vietnam. But as Saigon was falling, he was nonetheless trying to raise another \$200 million for the hapless Thieu's war chest.

Scott's behavior has often been ridiculed. The redoubtable Alice Roosevelt Longworth once said, "There are two things I like about Hugh Scott. His face." And his own uncle, Philadelphia Common Pleas Judge Edwin O. Lewis, who died last year at 95, complained, "Hugh never takes a stand on anything." There are some who admire such versatility. Norman Mailer has written, "A fine character actor was lost when Hugh Scott went into politics—he could have played the spectrum from butler to count."

Scott acknowledges his flip-flops without embarrassment: "I would be ashamed of myself if I hadn't changed my mind many times. I don't regard it as changeable or inconsistent." In his thirty-four years on Capitol Hill, no major piece of legislation has borne his name. Scott's greatest achievements have been winning elections—he has

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outlasted nearly all his contemporaries. Above all else, he is a survivor. Says former Senator Clark, his neighbor and friendly adversary, "He knows where all the bodies are buried and he can cut your throat with the most charming smile. He wants to do what the people of Pennsylvania want him to do, and then he does it. That's the way he stays in office, and I guess that's the kind of man who's supposed to be in the Senate." But, says Clark, Scott overreached himself on Watergate. "The bloom is off Hugh's rose," he says. "He should retire. If he doesn't, I may run against him and make age the issue." Clark is a year younger than Scott.

When Scott, with strong backing from GOP progressives, replaced the late Everett Dirksen as minority leader in 1969, liberal expectations were high. They hoped he would champion their cause, but he soon made it clear that he was going to do nothing of the sort. Scott took pains not to offend conservatives. Many of them distrusted him already, and he knew they could join ranks and topple him for doing anything remotely unorthodox. So he became the most partisan floor leader in recent memory, earning good will among those who value politics above statesmanship.

Scott's placid appearance—slicked-back hair, jowly face and neatly trimmed mustache (described by *Esquire* as looking like a "paste-on at a high school operetta") belies his frequently vicious campaign tactics. He calls himself "The Affable Tiger" and enjoys nothing more than clawing Democrats. He coins epithets in a manner reminiscent of Spiro Agnew. When he was GOP national chairman in 1948, Scott nicknamed President Truman, "Typhoid Harry, who spreads the germs of statism," and said that Truman's "indifference to Communist penetration at home" could be traced to the party's endorsement of the Roosevelt-Truman ticket in 1944. He was especially proud of tearing George McGovern to pieces in 1972. Scott depicted him as the "three-A candidate—abortion, acid and amnesty." McGovern spent much of the campaign trying to shake off his attack.

Scott's political career demonstrates his enterprise and adaptability. He was born in Fredericksburg, Va., the grandson of a Confederate sergeant. Among his ancestors, he boasts Zachary Taylor, twelfth President of the United States.

Scott graduated from Randolph-Macon College before going to the University of Virginia Law School where he was a classmate of John Stennis, the future Senator from Mississippi. He lists Stennis and the late Richard Russell of Georgia as his two favorite Senators. Had the ambitious Scott remained in Virginia he might well have become a Southern Democratic politician. But Scott's uncle, Judge Lewis, persuaded him to move to Philadelphia, where he took a job in the District Attorney's office and married Marian Chase, the daughter of an old Philadelphia family.

Scott managed to win the city Republican organization's endorsement for a Congressional seat in 1940. He then ruffled some local GOP feathers by endorsing the Presidential candidacy of Wendell Willkie instead of backing the state's favorite son, Gov. Arthur James. Nevertheless, Scott was elected by a handsome plurality. But Democrats were beginning to make inroads into Philadelphia, the last of the big-city Republican strongholds,

and in 1944 Scott was blown out of office by Democrat Herb McGlinchey. The defeat enabled Scott to compile a war record which he shrewdly exploited in later campaigns.

Redbaiting was in vogue when he returned home and Scott talked of the "betrayal at Yalta" and "Reds in Washington." He suggested that the AFL-CIO Political Action Committee was financed by Radio Moscow. Lieutenant Commander Scott routed McGlinchey in their 1946 rematch.

Scott's political fortunes continued to prosper. Pennsylvania Republicans helped Thomas Dewey win the Presidential nomination in 1948. And to repay them, Dewey let G. Mason Owlett of the Pennsylvania Manufacturers Association pick the chairman of the GOP National Committee. Scott got the job. Much to his disappointment, Scott soon learned that he was to be only a figurehead. Herbert Brownell ran the Dewey campaign, and Scott's duties consisted of giving speeches and raising money. In the process, he tried to drum up support for his appointment as Dewey's Secretary of the Navy.

When Dewey lost, Scott became the scapegoat. Led by Robert A. Taft, Midwestern conservatives called for Scott's abdication. At the post-election Republican National Committee meeting, he accepted blame for the surprising defeat and promised that Dewey would never again be a Presidential candidate. To protect himself, however, Scott had recorded election-eve telephone conversations with GOP leaders in all forty-eight states. Nearly every national committeeman had predicted a Dewey landslide. With the tapes in hand, he survived a no-confidence vote by four votes.

"Scott barely outstripped the snarling hounds by the long tail of his coat," wrote Harold Ickes about the Omaha showdown. Shortly afterward, under pressure from Owlett and other influential Pennsylvania Republicans, Scott resigned. The term as national chairman had brought Democratic charges that Scott was neglecting his Congressional responsibilities. He carried his district by only 403 votes in 1950.

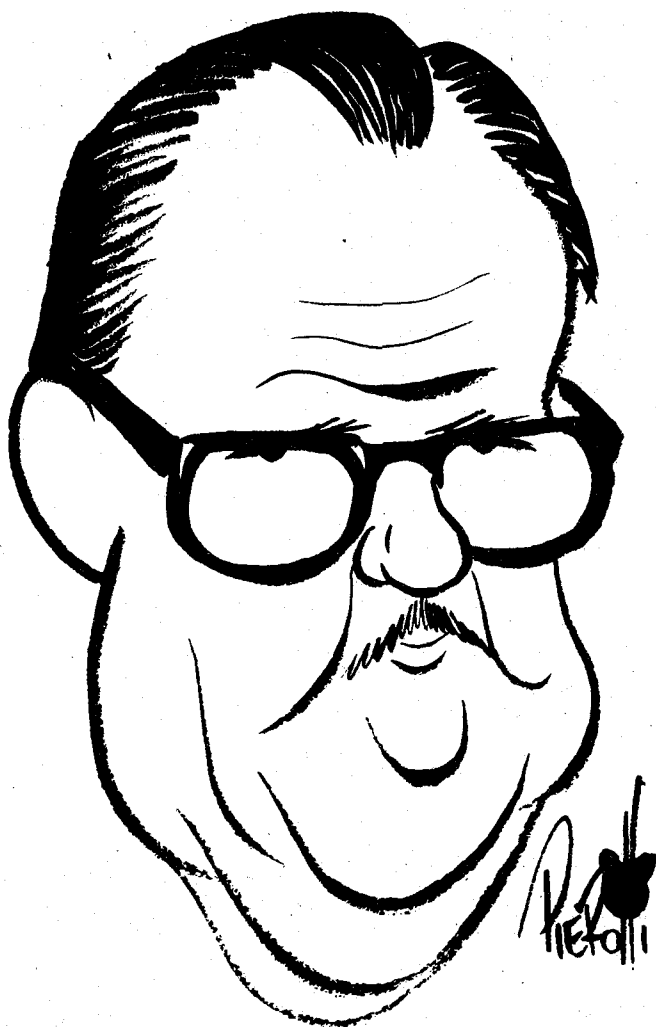
Scott was an early passenger on the Eisenhower bandwagon, making two trips to NATO headquarters in Paris to urge him to run. At the 1952 convention, he was one of Ike's floor managers. During the Eisenhower Presidency, Scott voted with the administration 97 per cent of the time, and denounced Republicans who differed with Ike as "noisy obstructionists."

Scott got himself elected to the Senate in 1958, when the aging incumbent, Edward Martin, decided not to seek re-election. His Democratic opponent was Gov. George M. Leader, whom he shamelessly attacked for an unpopular but necessary tax increase and for pardoning "murderers, holdup men, arsonists and sex fiends." It was often difficult to tell whether Scott was running against the bland Governor or Jack the Ripper.

Republicanism was on the decline in Pennsylvania and Scott's election gave him the opportunity to move into control of the local party. In 1960 he led Pennsylvania's delegation to the national convention. Scott was vain enough to think he might wind up as Richard Nixon's running mate that year, but when the nod went to Henry Cabot Lodge, he was content to gain notoriety as Nixon's

hatchet man. John F. Kennedy called one of Scott's salvos "the most distorted and malign attack I have heard in my years in politics."

Scott's grandiose campaign to take over Philadelphia's GOP organization met with disaster, but by deft maneuvering he got William W. Scranton nominated for governor in 1962. Scranton was elected and Scott began almost immediately to promote him as a Presidential candidate. He directed Scranton's comic drive for the 1964 nomination.



Hugh Scott

Approaching re-election to the Senate in 1964, Scott was careful to avoid being identified with the Goldwater-Miller ticket, since his polls indicated that Lyndon Johnson was going to win Pennsylvania by a record margin. He never endorsed Goldwater by name and refused to make appearances with him. His television commercials tacitly encouraged voters to support Scott and LBJ.

James C. Humes, a one-time Nixon speech writer, recalls that the weekend before the election Scott sent a telegram to the Justice Department, claiming that an Arab group was plotting to assassinate him. "It was a real profile in courage," Humes says with a laugh. "Two days before the election, Hugh Scott stood up against all two Arabs in Pennsylvania." The pro-Scott *Philadelphia Inquirer*, then published by GOP fat cat Walter Annenberg, played up

the report as if the Senator were being pursued by an army on camels. Scott prevailed by 70,000 votes while Johnson was sweeping Pennsylvania by 1.5 million. He benefitted again in 1970 from Pennsylvania's tradition of ticket-splitting when he won by 220,000 as Democrat Milton Shapp captured the governor's chair by 500,000 votes.

Scott's first step toward the mantle of Taft, William F. Knowland and Everett Dirksen came after GOP whip Thomas Kuchel of California was upset in a 1968 primary. Scott ran for the job against Dirksen's hand-picked candidate, Roman Hruska of Nebraska. Dirksen tried to sidetrack Scott, offering to make him chairman of the Republican conference, but Scott already had enough votes in his pocket.

Dirksen, never one to lose gracefully, refused to share leadership duties with Scott. "You can't imagine what Scott went through," recalls a former aide. "Here he had worked all these years to get into the leadership and he was powerless. It was an unbearable period." But Dirksen created sympathy for Scott, and Republican moderates talked openly of running Scott against him at the next session.

As it turned out, Dirksen was suffering from lung cancer. He died in September of 1969—without designating Scott as his successor. Scott's seniority helped him beat Dirksen's son-in-law, Howard Baker of Tennessee, by three votes to win the minority leadership. The Nixon White House had worked against Scott as it would again in 1971 when Baker's challenge failed by five votes.

Scott had alienated Nixon by serving as Rockefeller's floor manager at the 1968 convention and by fighting Agnew's Vice Presidential nomination. He would never regain Nixon's confidence and Nixon's operatives did their best to frustrate him. Shortly before the 1973 inaugural ceremonies, H.R. Haldeman told him that he just didn't measure up to the job and the White House wanted a new minority leader. But Haldeman was blowing smoke; Scott was firmly entrenched. John Ehrlichman, the Watergate transcripts disclosed, referred to Scott as "a whimpering, sniveling s.o.b."

Despite all this, Scott was eager to please Nixon. He went down the line with Nixon on Vietnam, ABM, SST and impoundment. After weeks of hedging, he voted against the Haynsworth nomination, but swiftly endorsed the incompetent Carswell "without qualifications." He was Nixon's floor manager at the 1972 convention. And, in his quest for Nixon's favor, Scott even proposed the old dike bomber for a Nobel Peace Prize. "I think Scott forgot whom he was serving," says George Packard, former editor of the *Philadelphia Evening Bulletin* and now a Republican candidate for Scott's job. "I can remember when Scott told me in 1968 how Nixon was one of the worst men he had ever seen in politics. Then, to my amazement, Scott became his cheerleader."

It may be that his devotion to Nixon was inspired by the promise of a high-level Presidential appointment. As early as 1972, he was talking about getting the Peking mission. Scott had reason to believe Nixon would offer him the Vice Presidency after Agnew's resignation. Goldwater, among others, had recommended him. Scott later said that Nixon summoned him to the Oval Office and explained his decision on the matter. "I don't want to give Milt Shapp a

chance at sending a Democrat down here in your place. And I don't want another leadership fight on the Hill," Nixon said. According to Scott, he asked Nixon if his feeling about preventing a leadership fight would apply "to Jerry in the House, too." Nixon replied, "Oh, sure." Scott was dumbstruck later the same day when he heard Ford was indeed Nixon's choice.

The Scott influence temporarily waned in the early weeks of the Ford Presidency, when Griffin, as minority whip, took advantage of his Michigan ties. Scott appeared to be one of the first casualties of the new administration. However, he bounced back quickly.

To prove his loyalty, he was the first Senator to endorse Ford's Presidential 1976 candidacy and even circulated a petition to other GOP Senators. The gesture drew snickers when a number of members refused to sign, but Scott was jubilant for he had firmly established himself as the new President's man in the Senate. "There has been little consultation between Ford and Griffin in recent months," says a veteran newsman who covers the Senate. "But Scott is down there all the time." According to the legislative assistant to a liberal GOP Senator, "Scott was one of the first to get called about the Cabinet shake-up. Griffin wasn't even notified." Scott's pro-Ford stance antagonized some conservatives, who almost persuaded Goldwater to lead an insurrection against him last winter. Goldwater said he could have beaten Scott but declined to run.

For the most part, Scott is well regarded by Senate Republicans. He is tolerant of diverse viewpoints and shares leadership duties with Griffin and Tower. There has been some carping of late that he is delegating too much responsibility. Mark Hatfield of Oregon handled most of the party's burden on the dispute over the New Hampshire Senate seat. And Edward Brooke of Massachusetts took charge of the floor work on Scott's legislation to nullify the anti-bussing Biden amendment.

At 75, Scott is conserving his energies and pacing himself. "His age is finally beginning to show," says a Senate Republican aide with whom Scott has worked. "He's not quite as sharp as he's been in the past. His staff is more protective to compensate. He's not spending much time on the floor. I don't see how he can physically make a state-wide race next year."

Scott is touchy about his age. He does not list his birth date in the *Congressional Directory* and resents the implication that he would be any less effective at 82, which he would be at the end of another term, than he is now. "When Scott is being photographed, he always smokes a pipe to pull in the jowls," says a former campaign consultant. Actually, Scott could pass for 65. His exceedingly well-fed face has changed remarkably little since he came to the Senate in 1958.

Scott's image in Pennsylvania has been tainted somewhat by newspaper allegations of wheeling and dealing. Donald Barlett and James Steele, the *Philadelphia Inquirer's* Pulitzer Prize winning investigative team, showed how Scott interceded with federal agencies on behalf of a real estate speculator who had been barred from doing business with the Federal Housing Administration and the Veterans Administration. Barlett and Steele also discussed Scott's relationship with United Brokers Mortgage Company, alleging that he had helped the firm

conduct business without interference from regulatory agencies.

A *New York Times* article by Denny Walsh detailed the role of Scott's office in securing a \$52-million federal contract for a real estate developer friend, even though two competitors had made lower bids. One government official said that, while he did not actually negotiate the deal, "it was being handled out of Scott's office." Last April, one of the unsuccessful bidders settled out of court for \$1.5 million, dropping a lawsuit based on the assertions that the award was illegal and involved falsified documents. The Justice Department is investigating possible criminal charges against Scott associates.

The *St. Louis Post-Dispatch* and *Philadelphia Evening Bulletin* published tales of Scott's undue influence in finding jobs for political friends in the General Services Administration, by-passing Civil Service regulations to do so. President Ford has since fired Arthur Sampson, the Scott-sponsored GSA head. Sampson's chief claim to fame was arranging the agreement which gave Nixon custody of the tapes and permitted their destruction ten years after Nixon's death. Sampson was involved in helping Scott's friend get the \$52-million contract.

The most recent and potentially most damaging allegation of back-room activities reached the public on November 14 as part of the Securities and Exchange Commission's investigation of illegal contributions to politicians that may have been made by ex-Gulf Oil Corp. lobbyist Claude Wild. In a deposition given by Thomas D. Wright, a Pittsburgh lawyer whose firm represented Gulf, Scott was said to have received "\$5,000 in the spring and another \$5,000 in the fall of each year" for many years. Scott reportedly asked Wild for the money "for a personal matter, or for some office matter" rather than as campaign contributions. Scott's office issued a rather limp denial. Wright's testimony has been filed in federal court.

If these revelations cause Scott discomfort, so do questions about what his constituents have gained from his eminence as minority leader. "The Most Powerful Senator Pennsylvania Ever Had" took credit in 1970 for bringing the Bicentennial to Philadelphia. But he was unable to prevent the Nixon administration from gutting plans to make Philadelphia the central celebration site. Earlier this year, when the Defense Department announced the closing of the Frankford Arsenal in Northeast Philadelphia, Scott finally told workers there that he was powerless to save their jobs.

But the reason Republicans as well as Democrats are lining up to run against Scott is the Senator's fumble on Watergate. It all comes down to putting his trust in Nixon and apparently believing that the "secret documents" exonerated him. Simply put, he was Nixon's patsy.

As Scott ponders his credibility as a candidate, he might do well to read over *How to Go into Politics*, a little book he wrote in 1949. On page 28, author Scott writes: "The infrangibility of the given word is the first commandment of politics. The word of the politician must be as good as his bond for, if it is not, the penalties are sure and relentless: others lose confidence in him, the intangible but very real asset of good will fades away, the support of his friends diminishes, and the political potency that once was his is lost. He may carry on for a while in the office he holds, but his days are numbered." □

A BIT TOO MUCH FOR RUSSIA

ROBERT KAREN

On April 18 the Novosti press agency notified the world via Telex that Andrei M. Tverdokhlebov, a young physicist, had been arrested for "systematically spreading deliberate falsehoods maligning the Soviet political and social system." An anxious call placed to Tverdokhlebov from a friend abroad found him home and unmolested. "I don't know what you're talking about," he is reported to have said. A few hours later he was in the KGB's custody.

Strange. Why did the Russians announce this arrest in advance when normally the West hears of such persecution only through press contacts with the Soviet civil rights movement? For whom was this special message intended? Tverdokhlebov, it turns out, was not the only dissident detained that day. In Kiev, the Ukrainian science fiction writer Mikola Rudenko was also arrested by the secret police; while in Moscow, Valentin Turchin, a mathematician, and Vladimir Albrekht, an engineer, were subjected to searches of twelve and six hours respectively.

Tverdokhlebov, Rudenko, Turchin, Albrekht. The one thing these men have in common is membership in a Russian chapter of Amnesty International, the London-based human rights organization which lobbies for the release of political prisoners. After operating unmolested for almost a year, the fledgling Amnesty chapter has finally been subjected to a crackdown—one that has baffled Amnesty officials abroad and helped to steel the dissident movement at home.

The Russian Amnesty chapter was Tverdokhlebov's brainchild. Nothing in Soviet law prohibits the establishment of such an organization, although the first attempt, the Moscow Human Rights Committee, was harassed almost to death by the police and would probably have collapsed altogether were it not for the membership of Andrei Sakharov, the physicist whose international reputation has made him off-limits to the KGB.

Tverdokhlebov had a number of reasons to believe that Amnesty would be less vulnerable. For one thing, the group would be concerned strictly with external affairs. Like all Amnesty chapters, it would be instructed by London headquarters to lobby (mostly by writing letters) for the release of three "Prisoners of Conscience"—one from a Western, one from a Communist and one from a Third World country—and would be expressly forbidden to protest the treatment of political prisoners at home. This well-known aspect of the Amnesty program was tailor-made to the needs of the Soviet activists.

What's more, Amnesty International has enjoyed a degree of respectability at the Kremlin. The government has officially hailed Amnesty reports on political repression in right-wing regimes and has even invited Amnesty representatives to attend one of those periodic Moscow gatherings with the soul-wilting names (in this case, the World

Congress of Peace Loving Forces; October 1973.) Finally, as a U.N.-recognized human rights organization, Amnesty could not easily be denounced as an anti-Soviet front.

All in all, it seemed to be the perfect challenge to the "re-Stalinization" of recent years—a bold move in the dangerous cat-and-mouse game that Soviet activists play with the authorities, a game in which the much abused letter of the Soviet law serves as their uncertain shelter.

Amnesty officials in London were skeptical last spring when the request came from Moscow for a local chapter. They are always alert to the danger of authorizing government-controlled chapters (was Tverdokhlebov, very young and relatively unknown in the West, fronting for the KGB?) or to the risk that anti-government activists will try to misuse Amnesty as a weapon in their domestic battles. In June 1974, Martin Ennals, Amnesty's secretary general, flew to Moscow for the first of two meetings with Tverdokhlebov and Turchin. He was impressed.

"No country in the world has a more distinguished group," said Ed Kline, a member of Amnesty's Coordinating Committee for Soviet Prisoners, of the Russian applicants for a charter. "They had a long history of civil rights work, their original eleven members were almost all prestigious physicists and other professionals, and their application was in very good order—probably the most learned application Amnesty ever received."

In September, Amnesty accorded the Moscow applicants official status and was faced with the problem of choosing three appropriate Prisoners of Conscience. It must have been a delicate process. Certainly Amnesty wanted to protect its new chapter from government harassment; this precluded the selection of openly provocative cases, such as a prisoner from Czechoslovakia. On the other hand, the organization had its own integrity to protect, and that may have ruled out such easy choices as, say, Albania. It would have been pointless to provide the Moscow chapter with a political prisoner in Chile, where a letter from Russia protesting someone's detention would hardly improve the victim's prospects. Finally, Amnesty could make assignments only from the pool of unadopted prisoners available at that time. The upshot: one prisoner each from Yugoslavia, Spain and Sri Lanka.

Judging from the initial passivity of the authorities, Tverdokhlebov's idea was brilliant, but somewhere he missed a step. When Amnesty members were rounded up in April, *The New York Times* correspondent Christopher Wren wrote from Moscow that there "may have been embarrassment here about attention to Yugoslavia and Sri Lanka, with which the Soviet Union is trying to improve relations."

Pavel Litvinov, a Russian civil rights activist exiled in New York and grandson of the famous ambassador, made this assessment: "It was a test of the system. But, of course, the state doesn't like these tests. They try to achieve a negative result."

Said Andrew Blane, a U.S. Amnesty official concentrating on Russian affairs, "We can't figure it out. We've tried

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to make it clear that we work only on cases outside the country we live in. Perhaps there was some fear that it would get out of control." Blane allows, however, that "any dictatorial society assumes that anyone pushing for human rights is an enemy, and in a sense I suppose they're right."

What probably got out of control from the Kremlin's point of view was not so much the activities of the Moscow group, maddening though they must have been, as the actions of the London office, which in recent years had become increasingly effective at uncovering Soviet political repression. For example, Amnesty was the first organization to expose the Soviet abuse of psychiatry for the purpose of political control. Last summer it gave prominent billing to the plight of Soviet political prisoners in its worldwide *Report on Torture*. All in all, Amnesty was becoming a most irritating member of the brotherhood of Peace Loving Forces.

What a predicament for the Russian authorities! Here they were, aching for an old-fashioned crackdown, but restraining themselves for the sake of their international reputation. And what do they get for their good behavior? Tverdokhlebov and his little band of mice are allowed to run all over the table, setting themselves up as an innocent nonpolitical organization, and meanwhile their allies abroad continue to hurl barbs at the bullying bureaucracy for mistreating a few ants and cockroaches. To the painfully poised Russian Bear, Amnesty International had become a thorn in both its sides.

The last straw, probably, was Amnesty's decision to resume translating and publishing the renowned Samizdat journal, *A Chronicle of Current Events*. That is the only overt act that would explain the curious premature Telex report of Tverdokhlebov's arrest. The Bear had his paw raised for the crackdown and he wanted to make sure that London got the message.

The importance of the *Chronicle* may have been underestimated by all involved. Recently, after a year-and-a-half hiatus that resulted from a successful KGB blackmail threat, the underground decided to resume publishing the *Chronicle*, Amnesty decided to resume serving as the English-language publisher, and the KGB decided to resume repressing. In April, like an exchange of blows, the English translation of *Chronicle* numbers 28 to 31 appeared in book form in London and in Moscow the Novosti ticker tape announced that the government's experiment in civility was over.

What makes *A Chronicle of Current Events* so provocative to the Soviet Government that it would risk additional world scrutiny of its domestic affairs by cracking down on Amnesty? The *Chronicle* is not the ideological tract one might expect from an underground organization. It is a straightforward exposition of all the facts which the Samizdat (literally, "self-publishers") can gather on cases involving dissidents and human rights. The writing is in narrative form, with no stylization or literary intentions and barely any editorializing or analysis. Regarding the case of a high school principal, Jonas Laucius, who was arrested for sending chapters of his unpublished novel abroad, *Chronicle* Number 29 offers the following typical report:

The procurator asked for a sentence of five years' deprivation of freedom. At the request of the defense, Laucius' acts



Andrei Tverdokhlebov

were reclassified under article 199 of the Lithuanian criminal code (corresponding to article 190-1 of the RSFSR code), and the court sentenced him to two years in the camps.

Free access to the court was not allowed; people were let in on the basis of special passes. After testifying, the witnesses were obliged to leave the courtroom.

The 600-word story gives the bare essentials of the case, ending with the information that the defendant's wife, a teacher, was forced to resign from her school, being promised a job elsewhere, which in fact she was given—at a pay of 60 rubles a month.

Page after page is loaded with that sort of detailed information. Arrests, interrogations, courtroom events, KGB threats, recantations, sentences, news briefs from abroad. In short, a wealth of important news normally unavailable to the Soviet citizen is crisply presented in painstaking detail by the Russian underground, which types and retypes the journal for distribution throughout the USSR.

A foreigner reading this material is struck by the utter absence of any attempt to make it appealing or to spruce it up in the way that almost all printed matter here is spruced up. The plain headlines, for example, say exactly what they mean—they need do no more to attract the information-starved reader: "Repression in the Ukraine"; "The Trial of Pyotr Starchik"; "The Cases of Lyubarsky and Popov"; "A Chronicle of Case Number 24"; "The Death of Yury Galanskov"; "In the Prisons and Camps: Arrests, Searches, Interrogations"; "News in Brief"; "Biographies"; "Events in Lithuania," and so on.

One of the more enticing titles appears in Number 28: "'Buddha's Smile' (A New Case Concerning Ritual

Sacrifices)." It tells of the incredible plight of Bidya Dandaron, described as a research officer of the Buryat Institute of Social Sciences in Siberia. Dandaron was accused of organizing a "secret Buddhist sect," of setting himself up as a guru, corrupting minors, engaging in rites accompanied by "bloody sacrifices" and "ritual copulation," attempting to "murder or beat former members of the sect who had wanted to break away from it" and finally making "contacts with foreign countries and international Zionism." The *Chronicle's* description of the case, including the prosecution's innumerable gaffes, the hysterics, the changes in testimony and the iron-clad summation by the defense is fascinating from the beginning to the end—whereupon one finds that Dandaron was convicted and sentenced to five years' deprivation of freedom. A footnote by the Amnesty editors notes that Dandaron died in a forced labor camp two years later, "apparently after being subjected to maltreatment."

The *Chronicle* provides a unique insight into Soviet criminal justice, protest and citizen involvement with the authorities. In addition to the thudding and predictable menace of the system, one finds that indeed people are sometimes acquitted in Soviet courts; and that the KGB and the prosecutors can be as fumbling and ridiculous as their Western counterparts sometimes are. Little vignettes offer a more vivid portrait of Soviet society than is normally available.

This important flow of information enrages the secretive and up-tight Russian bureaucracy. Although he may have had nothing to do with it, Tverdokhlebov is probably paying as much for Amnesty International's decision to resume publishing the translated *Chronicles* as for his own direct challenges to the regime.

Where do matters stand now? Amnesty member

Rudenko spent two days in jail and was expelled from the Ukrainian writers' union. His typewriter was confiscated! In a long handwritten letter to Leonid Brezhnev he notes that "during my questioning they demanded my resignation from Amnesty International." Turchin and Albrekht, after being searched and having some of their papers confiscated, were not arrested but still fear that they may be. (Another Amnesty member, Sergei Kovalev, has been in jail since last December on a charge related to his alleged involvement with a Lithuanian Catholic underground journal.)

Tverdokhlebov is still in the Lefortovo Prison in Moscow. On April 30, sixty Soviet dissidents appealed to the world to help obtain his release. It was an unprecedented action for many of the intellectuals involved. Sakharov described the list of signatories as the most comprehensive ever compiled on a single document in the ten-year history of the movement. It now appears that Tverdokhlebov will come to trial some time this fall. He is subject to a sentence of three years in a labor camp.

Brooklyn Congresswoman Elizabeth Holtzman, at the end of an eight-day visit to the Soviet Union in the early summer, met for about twenty minutes with Turchin, the chairman of the Amnesty chapter, who told her that despite the crackdown, the organization is thriving—twenty members had convened the night before for a regular organizational meeting. He said they had prepared letters protesting the imprisonment of their adopted comrades in Spain and Yugoslavia. Turchin, who has no job, can't get a character reference to help him obtain one and has been refused the exit permit which would enable him to accept an invitation to teach at M.I.T., told Holtzman that he hoped the American anti-war movement would move vigorously into the international human rights fight. She said he was in "good spirits." □

GIVING UP ON DEMOCRACY

CAPITALISM SHOWS ITS FACE

ALAN WOLFE

Save for some cataclysmic exceptions, capitalism and democracy have generally been linked, especially in the 20th century. To be sure, certain sectors of the "business community" have always retained a submerged fear that the "masses" would rise up and elect to office "irresponsible" demagogues who did not understand the necessity of industrial leadership, but that fear took second place to the perceived advantages of a democratically organized society. The major benefits were two. First, liberal democracy made a sharp separation between the economy

and the political system, one in which the formal equality promised within the latter (one man, one vote) actually sustained a rampant inequality within the former. Working classes, in short, accepted political rights in return for a general sacrifice of economic ones. Secondly, liberal democracy seemed to offer just enough hint of fairness to be seen as legitimate by the majority, yet also provided dominant groups with enough control to serve their needs as well. Other things permitting, democracy and capitalism could actually work to strengthen each other.

Other things, as the world should know by now, do not always permit. If democracy and capitalism had been strongly linked as ideas, so that one was literally inconceivable without the other, they would have both lived and perished together. But their connection was far more practical than theoretical, raising the possibility that, when conditions changed, those who supported one ideal would come to be critical of the other. The Left first made this

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separation: to a significant part of the socialist movement, the dream of democracy, which it loved, had become perverted into the nightmare of "bourgeois" democracy, which it detested. Genuine democracy, it was argued, would be realized only when capitalism was abolished. Yet this separation of concepts, while tantalizing in theory, did not mean much in practice, since no socialist movement was strong enough or courageous enough actually to put this vision into practice, except in certain countries where a democratic tradition had never really taken root. Of far greater interest, then, is a second separation that occurs a bit later in Western history. For it is not difficult to turn the socialist argument on its head and suggest that the realization of genuine capitalism can be achieved only when democracy is abolished. The lack of a true fit between democracy and capitalism makes that a permanent possibility, though the argument will be advanced only under exceptional conditions.

Social and economic conditions in the United States since 1970 have led a number of beneficiaries of American capitalism to question their allegiance to political democracy, and that raises the thought that we may be in the midst of precisely such "exceptional conditions." Two trends seem to have clashed to bring on the new war against democracy. First, the economy itself is in trouble, unable to deliver the prosperity that has always been the main argument in favor of capitalism. With private capital no longer able to generate enough investment to guarantee the accumulation necessary to keep the system afloat, the state became more and more involved in the economy on behalf of private capital. But, as James O'Connor points out in *The Fiscal Crisis of the State*, that merely shifts the problem from one area to another, since government assistance is, almost by definition, a confession of the failures of capitalism, and aid of this sort goes far to destroy the ideal that the government is a neutral, benevolent force concerned with the interests of all.

While this was taking place, a second trend made itself felt—large numbers of people appeared to be taking democracy far more seriously than they ever had before. The war in Indochina was stopped essentially by popular opposition. Two Presidents were forced out of office because of their uncanny ability to violate popular conceptions of what is proper and what improper. "Politics as usual" became the surest way to political defeat. In short, at the moment when capitalism no longer seemed to be working, democracy was just beginning to work. As one fails and the other succeeds, the inherent differences between them emerge, so that those whose main stake lies in preserving a capitalism that is no longer viable are forced to become critics of a democracy more alive than ever. This conjuncture of forces, which may come to a preliminary head as early as the election of 1976, has led a number of leading intellectuals to revise their once accepting attitude toward political democracy.

Perhaps the first, and certainly the most significant, shot in the new war against democracy is the Report of the Trilateral Task Force on the Governability of Democracies, made public in May 1975. (Formal publication in a "revised" version is due in late 1975; the analysis contained here is based on the original, unpublished version obtained from the Trilateral Commission's head-

quarters in New York.) The commission, an association of private citizens from the United States, Western Europe and Japan, has recently come to public attention through its vigorous criticisms of the foreign policy of Henry Kissinger. (See Geoffrey Barraclough, "Wealth and Power: The Politics of Food and Oil," *New York Review of Books*, August 7.) Under the leadership of men like George Ball and David Rockefeller, the Trilateral Commission has adopted the position that only through the cooperation of all the major capitalist powers—working in harmony with the leaders of Third World countries who can control vast resources—can the stability of the present world system be maintained.

Because this perspective requires some sacrifice of short-term sovereignty and self-interest, in exchange for long-range global planning, the commission is often viewed as "liberal," at least by comparison with the more "conservative" aims of the Nixon-Ford foreign policy. Now it becomes evident that a similar difference has emerged in the area of domestic policy. The Trilateral Commission has come out in favor of national planning, a position that diverges sharply from Secretary of the Treasury Simon's policy of pure plunder and market anarchy, and also implies a willingness to sacrifice the short-term goals of any given corporation for the long-term benefit of all. If a Democratic administration were to be elected in 1976, which seems even more possible after a Democratic victory in the special New Hampshire Senatorial election of September 1975, both its ideas and its personnel would very likely come from the Trilateral Commission. That makes its remarks on the "manageability" of democracy particularly important.

Two features of this report are immediately striking. One is its pessimism, for the dominant tone of American political sociology since the 1950s has been aggressively optimistic. Thus, S.M. Lipset, who could proclaim in *Political Man* (1960) that liberal democracies had attained the "good life," now finds, in recent reflections in *Commentary*, that those very societies are in "crisis," though characteristically he blames their problems more on those removed from power than on those who hold it. *The Governability of Democracies* accepts this neo-pessimism completely, preferring the vision of Céline to that of Pangloss. While the old optimism and the new pessimism are in reality two variations on the same theme—both are equally ahistorical, unanalytic, apocalyptic and afraid of class conflict—the shift from one to the other does betoken an increasing conservatism among leading social thinkers. The other, and quite related, feature of the report is the unmediated authoritarianism of the new approach to liberal democracy. In *Political Man*, to use that marvelously suggestive book again as an example, it was the working class which was considered intolerant, disposed to be impatient with the indirectness of democratic procedures. *The Governability of Democracies* flip-flops this proposition as well, for it ironically reveals a professoriat possessing all the impatience and intolerance once attributed to the people who cleaned their offices.

Pessimism and authoritarianism pervade the Report of the Trilateral Commission from start to finish. It is divided into four sections: one on Europe, another on Japan, a third on the United States and some concluding remarks

about structural changes. The European section, written by Michel Crozier, and the American, by Samuel P. Huntington, are the most interesting, though the concluding recommendations, which I shall discuss in a moment, are the most controversial. In both Europe and the United States, all the traditional agencies of what political scientists call "political socialization" are seen as falling apart. People are no longer deferential, accepting as inviolate what established authorities tell them. The value structure of society has changed, and new expectations have revolutionized political life. Crozier, for example, paraphrases Jurgen Habermas's *Legitimation Problems of Late Capitalism* when he notes that traditional standards of rationality in the West, such as the distinction between ends and means, have begun to disintegrate. Cut loose from ties of obedience and traditional values, people begin to make political demands on the state. The result is an "overload" of inputs which cannot be met by government. Consequently, in Crozier's words, "the more decisions the modern state has to handle, the more helpless it becomes."

Huntington carries Crozier's pessimism yet further. What he calls the "democratic surge of the 1960s" was a challenge to all existing authority systems. As people became politicized, their disappointment was inevitable because democratic societies cannot work when the citizenry is not passive. The result is a substantial withering away of confidence in government. Huntington, like many other political analysts, makes great use of the University of Michigan's Survey Research Data which shows both a decline of public trust in government between 1964 and 1970 and an equally sharp rise in the feeling that government is run only by and for the rich. (See Arthur H. Miller, "Political Issues and Trust in Government: 1964-1970," *American Political Science Review*, 68; September 1974). An accompanying decline of faith in the party system, combined with the inability of Presidents to finish their terms, produces what Huntington suggestively calls a "democratic distemper" which hinders the political system from carrying out its traditional policies, both domestic and foreign. If the system is to correct itself, this "excess of democracy" must be reduced. There must be an emphasis on the fact that "the arenas where democratic procedures are appropriate are limited." Individuals and groups should be cooled out, since a functioning system requires "some measure of apathy and noninvolvement." In general, the demand is for "balance":

A value system which is normally good in itself is not necessarily optimized when it is maximized. We have come to recognize that there are potentially desirable limits to economic growth. There are also potentially desirable limits to the extension of political democracy. Democracy will have a longer life if it has a more balanced existence.

In order to restore this "balance," the authors make a number of controversial proposals. First, they strongly endorse mechanisms for economic planning. Noting that "the governability of democracy is dependent upon the sustained expansion of the economy," the report implicitly argues that the only way to make people recline in political apathy is to increase their income, and this task is too important to be left entirely to the operation of market mechanisms. The authors' hopes for planning are as much political as they are economic, for to them a

workable capitalist economy and democratic acceptance are totally linked.

Second, the report calls for stronger political leadership. Sentiments which one would have thought dead after Vietnam and Watergate are dramatically reborn: "The trend of the last decade toward the steady diminution [?] of the power of the Presidency should be stopped and reversed. The President clearly has the responsibility for insuring national action on critical matters of economic and foreign policy. He cannot discharge that responsibility if he is fettered by a chain of picayune legislative restrictions and prohibitions." Some people never seem to learn; the seeds of a new Watergate have been planted, even before the old roots have been fully ripped out.

Third, the report calls for attempts to put some life back into dying political parties; it endorses governmental aid to parties, but calls for balance in the sources of campaign finance. The decisions of governments to finance elections to themselves—a recent feature of American, Italian and German politics—is one more sign of the inability of traditional institutions like parties to win support.

Fourth, restrictions are proposed but never exactly specified on the freedom of the press. ("But there is also the need to assure to the government the right and the ability to withhold information at the source.") Fifth, education should be cut back because the democratization of education, minimal though it has been, has raised expectations too high. Assuming that education is related to "the constructive discharge of the responsibilities of citizenship," then "a program is necessary to lower the job expectations of those who receive a college education." On the other hand, if citizenship training is not the goal of education, then colleges should be turned into vast job-training centers. Sixth, the report calls for "a more active intervention in the area of work," since alienation must be attacked at its roots. German experiences with co-determination are rejected in favor of state aid for experimentation with new forms of work organization. Finally, supranational agencies of cooperation are encouraged among the major capitalist powers, including the mobilization of private groups (like the Trilateral Commission) to share "mutual learning experiences."

The unusual bluntness of *The Governability of Democracies* violates a taboo of American society, which is that no matter how much one may detest democracy, one should never violate its rhetoric in public. Consequently this report has generated a full-scale controversy within the Trilateral Commission itself. When it was formally presented, at a conference in Kyoto, Japan, on May 30 and 31, numerous commission members from the United States and Europe denounced it as too pessimistic, and some even urged that the Trilateral Commission, like Nixon with his report on marijuana, repudiate its own study. In a major speech, Ralf Dahrendorf, now head of the London School of Economics, aligned himself with the critics, saying, "I am not, contrary to many others today, pessimistic about the future of democracy." One of the few members who did not take a position on the controversy was David Rockefeller, the man who put up the money for the Trilateral Commission. Although one can obtain a general feeling of Rockefeller's attitude toward democracy from the behavior of his Chase Manhattan Bank during New

York City's fiscal crisis, it would have been interesting to have had his views officially on record—and that is undoubtedly why he declined to divulge them.

The bitterness of the Kyoto debates reveals that liberal democracy still has its partisans, that establishment intellectuals by no means unanimously share a developing disdain for it. Yet despite the evident sincerity of those within the Trilateral Commission who have objected to the Crozier-Huntington analysis, one cannot escape the feeling that their commitment to democracy is as much tactical as it is principled, that they are prepared to retain democratic structures only until their breakdown is further advanced. The seriousness with which *The Governability of Democracies* has been discussed, even by those who object to it, confers upon its ideas a certain legitimacy, making reasonable what only ten years ago would have seemed an outrageously extremist position. Just as during the war in Indochina, the Defense Department continued to adopt "options" which it had only shortly before dismissed as extreme, so Western intellectuals are now calmly discussing hypotheses which they once associated with lunatic fringes. This tendency of leading social theorists to become increasingly chiliastic as the system they defend becomes increasingly untenable will be exaggerated by one simple, if somewhat paradoxical fact: for all their illiberalism, it is the authors of this report, and not their critics within the Trilateral Commission, who have made the richer analysis of the contradictions, limitations and ambiguities of late capitalist societies. To understand why that is the case requires a short digression into recent neo-Marxist attempts to formulate some insights into the nature of the capitalist state.

In the writings of men like Jurgen Habermas and Claus Offe, critical theorists who have had a major influence on both German and North American social scientists, the state is called upon to perform simultaneously two functions that are quite contradictory. On the one hand, given the fact that any capitalistic society will have capitalists, the state will be expected to help them.

What Habermas and Offe call the accumulation function of the state encompasses all the ways by which governments become involved in helping private industrialists to accumulate more capital and therefore presumably to make more money. Unlike the early period of capitalist development, which expressed a highly articulated, though rarely applied, detestation of government, contemporary capitalists very willingly recognize their dependence on the state. Government aid to corporations, macroeconomic policy, banking, "regulatory" commissions which actually formulate corporate policy and government support for research and development—these are only a few of the ways by which the state involves itself in the accumulation process in a society dominated by firms which dwarf entire competitive industries of a century ago.

But in addition to this, Habermas and Offe recognize another function. In order for a government to be a government, it must be supported by all the people, not by just one class. The state therefore has a legitimation function as well as an accumulation one; it is responsible for obtaining mass loyalty to the system. Just as accumulation has moved from the realm of the private corporation to that of public agencies, legitimation becomes centralized as well. Families, neighborhoods and private associations play a smaller role in structuring obedience; education, propaganda agencies and the bureaucracy become much more active.

The theoretical notions associated with this version of critical theory were given precise empirical application by James O'Connor in his important book, *The Fiscal Crisis of the State*. O'Connor argued that the tendency to intensify both the accumulation and the legitimation function was at the root of the current U.S. budgetary crisis. Greater governmental involvement in accumulation costs money, since it makes fiscal demands upon the state and, at the same time, intensifies the need for legitimation, since such giveaways must be explained one way or another. Legitimation, in turn, costs money, and that sets off something of a vicious circle. The state is placed in an impossible situation: if it tries to fulfill its accumulation



function, it risks losing legitimacy, but if it aims for legitimacy, it may harm the process whereby capital is accumulated. The attempt to do both things at once, though expensive, becomes the least offensive option, not the best possible decision. Political struggles are turned into fiscal priorities, and social conflict tends to resemble a race to the last line of the balance sheet.

Positing a deep conflict between the legitimation and accumulation functions of the capitalist state is only a starting point for understanding the nature of government activity, but it is a more fruitful place to begin than any other that has been advanced. Testimony, of the most ironic sort, to its importance is the attempt by the authors of *The Governability of Democracies* to adopt these essentially Marxist ideas for their own different purposes. Faced with a bankruptcy of their own ideas, conservative defenders of American society—especially those more interested in keeping that society together than they are in defending ideas which they know are no longer relevant—turn with increasing frequency to their ideological opponents for their basic concepts. A society which grew by appropriating physical labor can apparently try to preserve its growth by appropriating mental labor as well.

Of all the sections of *The Governability of Democracies*, the one showing most clearly the attempt to use neo-Marxist ideas for conservative purposes is the analysis of the United States, for Huntington accepts the basic premise of a contradiction between the accumulation and the legitimation function of the capitalist state. Like his Harvard colleague Daniel Bell, Huntington finds O'Connor's book important enough to merit some reflection. (See Daniel Bell, "The Public Household—on 'Fiscal Sociology' and the Liberal Society," *The Public Interest*, Fall 1974.) There is no doubt, Huntington agrees, that demands on government, symbolized by both warfare and welfare, are responsible for the state's budgetary problems, and that consequently the fiscal dilemmas of the capitalist state have a social and political root. But then, almost as if he were afraid to find any more agreement than necessary with Marxist writers, Huntington differentiates himself from O'Connor, Habermas and Offe in two ways. First he assigns different relative weights to each of the functions and second he finds the cause of their current intractability in a different place. One of these differences, the first, is spurious, but the other may actually wind up contributing more to the neo-Marxist analysis of the state than it takes from it.

In the approach to the state developed out of critical theory, accumulation and legitimation exist in a roughly balanced equilibrium. Any change in one is also associated with a change in the other, especially in late capitalist society when political and social crises tie the two functions ever closer. Huntington's first attempt to differentiate himself from O'Connor misses this essential point. "What the Marxists mistakenly attribute to capitalist economics, however, is in fact a product of democratic politics," Huntington notes. Such a conclusion must be based on a misreading of the "Marxists," however, for the whole point of their enterprise is to suggest the very definite links between demands on the state which grow out of democratic politics and fiscal irresponsibilities caused by capitalist economics. O'Connor, for example, emphasizes time

and again that only one of the ingredients of the fiscal crisis is a breakdown of the private accumulation system; the other includes such "democratic" matters as pressure from civil servants, demands for state services like welfare and public expectations about equality and fairness.

Indeed, if anyone is guilty of assigning too much weight to one of these functions over the other, it is clearly Huntington, for in his perspective accumulation becomes so important that it is not even mentioned. The expectation that the state will support capitalists in their drive for profits is so totally accepted by the authors of *The Governability of Democracies* that the only question becomes one of how best to insure its success. Both macro-economic and foreign policy, euphemisms for the accumulation function, are seen as being in danger because of new attitudes toward government. It was to preserve these essential parts of the accumulation process that the report was written in the first place. The point is neither to attribute problems of capitalism to democracy or problems of democracy to capitalism but to understand the interrelationship of both forces to each other under current conditions.

Huntington's failure to deal with the interrelationships between the functions of the state means that to the degree he accepts accumulation, he must perforce denigrate democracy. His argument that only less democracy can save democracy is scholastic at best, since what he wants to save is only the shell, not the actual content, of democratic government. Like some mid-19th century industrialists, the authors of this report equate genuine democracy with socialism, anarchism and every other nightmare they can conjecture. While there is little evidence currently present in the United States to suggest that the working class is about ready to take up arms in the cause of socialist revolution, the passive developments that worry Huntington and his colleagues—the breakdown of conventional attitudes, public cynicism toward existing government, decreased party identification and increasing violence, to name a few—all could signify a crisis of legitimacy and therefore make their fears realistic. Those who benefit from an existing order have every right to worry when that order loses support and comes to be viewed with suspicion and cynicism.

By polarizing accumulation and legitimation as he does, Huntington severely restricts the options available to him. One easy way to remove some of the legitimacy problems of contemporary capitalistic societies, for example, would be to make them more legitimate—deceptively simple, of course, because then they probably would no longer be capitalist. The easiest way to make large numbers of people happy with their political system is to give them, or allow them to take for themselves, the power, participation and equality needed to make the notion of citizenship meaningful. Yet Huntington's fear of just this alternative is what prevents him from advocating anything of the sort. His failure to question the need for accumulation as it takes place at present locks him into defending an indefensible position. One could, in contrast to him, reverse the priorities by assigning legitimation greater importance than accumulation. But that alternative accepts Huntington's polarities, even while reversing them. An approach based on the interconnections between the two functions of

the state would lead in a different direction, toward an understanding that democracy can be preserved, not by doing away with accumulation but by democratizing it. Industrial societies, for better or worse, accumulate in one way or another. But the way makes a substantial difference. Applying the logic of democracy, not only to the public world to which it has traditionally been consigned but to the private world as well, would resolve much of the tension between these two functions. Earlier in European history, Guizot's response to those who were deprived by industrialization was to urge them to enrich themselves; his notion, essentially, was that accumulation could serve as its own legitimizing mechanism. Now we have come full circle, for the inability of class-based capitalist societies to win acceptance suggests that legitimation must serve as its own accumulating mechanism. In other words, if the process of capital accumulation is not subject to popular control, we may wind up with a society that not only is illegitimate but also disaccumulative.

A second point where Huntington's approach to the state differs from those of the newer Marxists is on the factors which are seen as causing an intensification of the contradiction between accumulation and legitimation. To Huntington the cause of the "democratic distemper" lies not so much in anything that governments have been doing lately but more in changing patterns of political participation. Whereas Marxist writers are likely to emphasize contradictions within a ruling class, Huntington hardly ever considers those in power; it is citizens, not leaders, who are responsible for the current instability of what Maurice Duverger has recently called "plutodemocracy." For example, Huntington is particularly concerned about the increase in political participation among black Americans. Attributing it, rightly, to their heightened group consciousness and generalizing from that, he concludes that greater education is not what makes for greater participation, but the degree to which an individual or group develops a preoccupation with political questions. The rhetoric of democratic values begins to be taken seriously. As Huntington notes, "For much of the time, the commitment to these values is neither passionate nor intense. During periods of rapid social change, however, these democratic and egalitarian values of the American creed are reaffirmed. The intensity of belief during such creedal passion periods leads to the challenging of established authority and to major efforts to change governmental structures to accord more fully with those values." Democracy, in short, begins to work.

A case could be made that by emphasizing the political activity of ordinary people rather than the manipulations of an elite, Huntington is actually on firmer ground than writers like Offe and O'Connor. There is an irony to this, since it is the Marxist tradition which emphasizes that no value can be created except by the labor of ordinary people engaged in production. When it concerns the productive process, the Marxist tradition places its complete reliance on everyday activity. However, when it concerns the state, Marxist writers turn around and look above them rather than below. If Marxist writers took the same approach toward politics that they take towards economics, then there would be greater emphasis in theories of the state on the ways whereby people come together to produce community in their everyday lives. By making political

consciousness the crucial determination of the current legitimacy crisis of the state, Huntington, for all his conservatism, takes an important step in that direction. The problem becomes one of using his insight to further democratization rather than to hinder it.

The conclusion that follows from this, and it is one to which the Left has not paid enough attention, is that the root cause of the political instabilities of modern capitalism lies in the changing nature of popular conceptions about political life. If all workers were to go on strike, if they were to withhold their labor power, nothing could be produced. Similarly, if all citizens were, in a sense, to go on strike—to withhold their allegiance to the system—no politics as usual would be possible. While neither of these situations has come about, the Trilateral Commission's report emphasizes the possibility of the latter. In short, it is possible to argue that the declining ability of the state in advanced capitalist societies to meet both its accumulation and legitimation functions has been caused not only by the declining ability of private capital to reproduce itself but also by the increasing tendency of more and more people to condemn political behavior that violates their standards of decency and fairness. The state faces both a fiscal crisis and a legitimacy crisis, and the two eventually become so intertwined that they become one. Each component is essential, but it is a mistake to emphasize either at the expense of the other.

One way to interpret what has been taking place is to argue that, tired of politics as usual, citizens of countries like the United States are refusing to allow themselves to be a party to conduct which they consider outrageous. The fact that it is now possible openly to criticize the CIA and the FBI and not be run out of town is one example; indeed, it is commonly heard in Washington these days that the "people" are so far ahead of Congress on such issues that the process has only begun. This change in popular attitude by no means signifies a total breakthrough to a new society. It is much clearer what people do not want than what they do, and despite widespread public disenchantment, no politician—except a few on the Right—has crystallized support into an alternative vision of how to organize America. But it would also be a mistake to view this disenchantment as a passing phase. When most politicians are seen by the public as more unfavorable than favorable, when problems cry for solution but no solutions are offered, when the greater the crisis, the greater the assurance that nothing is wrong—when all this takes place, the question of legitimacy must be seriously raised.

The warning that comes across clearly from a reading of *The Governability of Democracies* is that some people with access to the center of power now understand that the change in popular attitudes toward government will necessitate a rapid dismantling of the whole structure of liberal democracy. What should be the response to their hubris? Is it counterproductive to come to the defense of an order which has its own severe limitations only because one's enemies want to replace it with something even worse? It would be more than ironic if civil liberties, which were won by the dispossessed in bitter struggles for their dignity, were to be left to the dispossessed to defend as ruling groups undermine them. Something more positive than a

simple defense of the *status quo* must be advanced, for when the Right is moving as fast as it is now, to stay in the same place is to fall behind. The fact is that conditions have rarely been better for a decisive move in the direction of a more humane political system, and the reason has everything to do with the issues that worry the Trilateral Commission. The changing patterns of political perception and participation which Huntington views as causing an "excess of democracy" must be encouraged. The pessimism of the Trilateral Commission should be the optimism of everyone else. If ruling groups feel they are losing power, it is only because everyone else is gaining it. If their world is crumbling, ours should be being built. Their fears are in reality our opportunities.

Because public disenchantment runs deep, no way out of the political impasse can be discovered through clichés and

slogans, either from reform politicians or from sectarian groups on the Right and Left. This is not the time to debate whether Plan X or Plan Y does more for the American people, but it is the time to let the American people in on the discussion. What we should be working toward is the creation of new structures, not new programs, for only structures which democratize the entire accumulation process will be able to generate the new political energy and imagination necessary to turn the negative disenchantment we see all around us into a positive and constructive political system. The Trilateral Commission has unwittingly given us an analysis that can help us in this task; if we don't take advantage of its unintended generosity, we may find ourselves the victims of its warped values and constricted imagination. Using its analysis for our own purposes seems the best way to avoid that fate. □

FEDERAL PRISONS

'ONE CAN SEE BRUTALITY'

EDWARD BUNKER

A recent United Nations report said that Turkey has the worst prisons in the Western world. After Turkey came the United States. Americans may accept being more barbaric than enlightened Scandinavia, which doesn't have the *outlaw* type of criminal common to the United States—perhaps to some extent because their prisons don't create that type. We might even rest easy with the thought of being more cruel than England, worse than France, which long ago closed Devil's Island. But to be judged by the world as treating prisoners worse than Cuba, Mexico and other Latin American nations, that indeed is a blemish.

It is more than a blemish; our prisons incubate crime. If prisons did their job—be it punishment or rehabilitation—we would have less crime. We punish, but too often unevenly, and uneven or unfair punishment fomenters bitterness. Prison guards are society's surrogates to the imprisoned, and the rage that cannot be expressed against men with guns and clubs and dogs is vented on innocent citizens. Charles Manson was formed in prison.

I don't want to talk about bodies dug from fields in Arkansas, or Attica's slaughter, or San Quentin's murder rate, or the prevalence of homosexual rape throughout Southern prisons. I want to report, rather, what I've seen in the "best" prison system, the U.S. Bureau of Prisons, the one representing all the people. It is looked upon by many penologists as the ideal to be followed by the states. Indeed, the Bureau of Prisons has institutions such as Lexington, Ky. and Pleasanton, Calif. that resemble Ivy

League colleges more than they do the common image of prison—and in those two, and others, men and women prisoners are allowed to mingle. They are coed prisons. The bureau also has "country clubs" such as Allenwood, Pa., Lompoc, Calif. and Eglin Air Force Base, Fla. These are used for prisoners who are more equal than other prisoners. Jeb Stuart Magruder, who was in the conspiracy to steal the nation itself, served his sentence at Allenwood as a tennis instructor, and has written of the dehumanization of his experience. It's a far cry from the era of hard labor. The "residents" of Lompoc and Eglin have high Dun and Bradstreets. They play golf and go to town. John Alessio, the San Diego millionaire, spent half his time at Lompoc going out to dinner and in motels. Of course he was a friend of C. Arnholt Smith, a Richard Nixon crony. The Bureau of Prisons knows whom to treat with tender, loving care. Besides, a ghetto black wouldn't appreciate golf anyway.

But in other places—not necessarily the "tough" U.S. penitentiaries—one can see brutality. At Terminal Island I was "en route" (a term I'll explain later) and locked in the hole. Five times in one shift they took me out and searched me, each time making me undress and go through the demeaning bending, waving, spreading ritual dance of the "strip" search. Their avowed goal was a metal mess hall cup (in my rectum!) that I had used to boil coffee water. The cup had been confiscated during the first search. The further searches were to provoke me, and they succeeded, for even a smart convict who knows he can't win must at some time say "enough." I cursed them out. They took my clothes and put me deeper in the hole, into a "boxcar," a special cell with double doors and no light. Ten minutes later, five of them returned, accompanied by a lieutenant who had worked for twenty-five years in Leavenworth. As an excuse to open the cell door, he ordered another body search (I was naked), and when the door opened three of them held me spread-eagled while the

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other two administered a beating. It featured brogans stomping my head into the concrete and other brogans driven into my spine and crotch. I then spent three months in the boxcar. I was luckier than if I'd been in Leavenworth. There I saw a guard begin beating a prisoner—the man just put his hands over his head—and other guards came to help. Not only was he thrashed but he was indicted for assault on the guard and given an additional three years. The infliction of beatings followed by charging the prisoner with assault is the reply of prison officials to the upsurge in civil rights suits brought by prisoners—increasingly with the help of such organizations as the Prison Law Project of the ACLU—in response to cruel and unusual practices. Only in recent years have the courts looked inside the prisons—when it had become obvious that nobody else cared.

A little later, the lieutenant who had led the crew that stomped me, acting on an informer's word or on his own whim, ordered a man stripped, given three forced enemas and a laxative, and then handcuffed to a bedpan for fifteen hours. The information that he had narcotics in his rectum was obviously wrong. But right or wrong, convict or citizen, forced enemas and chaining a man naked to a bedpan are worse crimes than the minute amount of drugs he might have concealed. Three enemas!

The Bureau of Prisons is obsessed with image. For writing an article critical of manuscript censorship, I was transferred from a prison near my home on the West Coast to the super-maximum security U.S. penitentiary at Marion, Ill., thousands of miles away. The average term at Marion is twenty-one years; I had twenty-two months to go. Marion is the new Alcatraz, and the Bureau of Prisons was there inaugurating "behavior modification." The project supervisor, Dr. Martin Groder, frankly stated that some of the concepts came from North Korea's brainwashing techniques; Roy Girard, assistant director of the Bureau of Prisons, stated that convicts forfeit their right not to be brainwashed. At that point, a federal district judge intervened and issued a permanent injunction. At Marion some men are locked in solitary confinement for years, not because they are violent but because they sat down in protest against conditions. They now want to move me (with less than a year remaining) thousands of miles to another maximum institution. The purported reason was my being caught with a \$10 bill. It was my sole disciplinary report in three and a half years. The game they might play is "en route," which means they move a man on transfer from jail to jail, a month in Sacramento, three weeks in Salt Lake City, six weeks in Cheyenne, Denver or Kansas City. While en route, the prisoner is incommunicado. I once spent six months "en route."

Newspapers periodically run a story about someone who deliberately committed a federal crime to get medical treatment he couldn't otherwise afford. It would be a mistake to expect very much. I've been waiting three and a half years to get a partial dental plate that was broken by a shotgun butt when I was arrested. The following anecdote was sworn to by David Ruggles, fantastic as it seems. He was sent to the medical facility at Springfield, Mo. to have some bullets removed. He heard a conversation between medical personnel that changed his mind. A black man with gangrene in his lower leg was to have an amputation

just below the knee. The amputation went smoothly, but the medical personnel were upset because the wrong leg had been taken. I have no way to verify Mr. Ruggles's story, but he refused to have the operation, and things I've seen make it possible. I saw a man complain of chest pains for two days, until he was finally given an enema to pacify him. He collapsed on the toilet from the heart attack while the lukewarm water was bloating him.

During the aforementioned three months I spent in the Terminal Island boxcar, following the beating, a *bracero* named Sanchez was put next door. He'd violated no rules, but had asked for help because he was obviously deranged. He was put in the dungeon instead of the hospital. For three weeks he sat in the darkness, didn't speak, scarcely ate, never came out for showers or exercise. No guard took an interest in him. As far as I know, nobody sent for a doctor to talk to him, though there are conscientious physicians at Terminal Island. One afternoon he hanged himself. Many suicides give no warning, cannot be stopped, but Sanchez's aberrant behavior was so obvious that he could have been saved. Everyone was indifferent; he was a poor Mexican wetback. Similarly, in McNeil Island, the anti-depressant prescription for a known potential suicide expired on a weekend. The physician's assistant—who ranks between a registered nurse and an ambulance driver—refused to call the doctor on the weekend. The man told them how he felt; they didn't act. He, too, killed himself.

Terminal Island is semi-coed. Sexual relations between male and female happen now and then, but homosexual affairs between masculine female guards—who are called Andy and George and Sarge—and female inmates is common, if not epidemic.

Nearly any warm body without a criminal record is welcome to work for the Bureau of Prisons as a correctional officer, and too high a ratio lack the emotional maturity to be entrusted with power over other human beings. □

LETTERS (Continued from page 546)

efforts confined to the Liberty Union Party, as the laws listed earlier illustrate. . . .

Gilbert Whittemore, Jr.

Boston, Mass.

I regret that Mr. Whittemore has misunderstood or misread what I wrote about Vermont. I nowhere stated that the Left's renovation was due to radical students with an alien ideology but rather to the Liberty Union's ability to synthesize New Left praxis and the long tradition of yeomanry and industrial unionism in the Green Mountains. Nor was derision of the peasant mentality included. My report sought to explain the decline of the agricultural economy, which has largely eliminated the peasant-farmer as a social force. This is a familiar phenomenon in Latin America. Hence, the term banana republic is appropriate. Since evidence points toward a growing acceptance of the Liberty Union by Vermonters, I suspect their common sense compensates for a lack of sophistication. However, the sentimental defense of a golden age gives manipulative politicians the emotional tool to prevent popular action. It is the task of the analyst to expose such mystification.

Jonathan Maslow

BOOKS & THE ARTS

Anarchist Classics and Collectives

THE POLITICS OF OBEDIENCE: The Discourse of Voluntary Servitude. By Etienne de la Boétie. Introduction by Murray N. Rothbard. Free Life Editions. 88 pp. \$7.95. Paper \$2.95.

THE STATE. By Franz Oppenheimer. Introduction by C. Hamilton. Free Life Editions. 155 pp. \$3.95.

A PRIMER OF LIBERTARIAN EDUCATION. By Joel Spring. Free Life Editions. 157 pp. \$8.95. Paper \$3.95.

GEORGE WOODCOCK

The word *libertarian*, which was invented by Sebastien Faure eighty years ago when the term *anarchist* had acquired violent associations through the actions of French, Spanish and Italian terrorists, has in its turn fallen into some disrepute because of its persistent use by people who are not anarchists or near-anarchists and indeed have no radical inclinations whatsoever. Every so often, for example, I receive a circular called—if my memory is correct—the *Libertarian Reader*, which presents notices and brief reviews of books that for the most part are merely defenses of an antediluvian *laissez-faire* individualism that is obviously hiding, as anarchists once did, under the bland neutrality of the libertarian label.

This is merely one instance of the continuous process of corruption of the language that Orwell and others after him have so thoroughly denounced—the use of words for their power of attraction rather than their power to define. And, as in the case of many other such verbal perversions, it is doubly unfortunate since it robs the word of its original usefulness, in this case to define a point of view in which the basic philosophic position one associates with anarchism is accepted without the revolutionary conclusions that most anarchist purists would draw. An anarchist is, by definition, a libertarian, since maximum freedom is his fairly immediate aim. The libertarian need not be an anarchist, since he has not yet committed himself to the complete or

immediate achievement of his goal; he has merely set the destination point on a horizon that may always recede.

If it had not been so misused, *libertarian* would have been just the word to define the activities and the publications of a new publishing collective in New York called Free Life Editions. The books issued by Free Life Editions up to the present show a nondogmatic and somewhat antiquarian dedication to publishing anarchist and near-anarchist works that are either little known, or well-known but little read because in the past they have been hard to get. I am not sure of the antecedents of Free Life Editions, but I suspect that it may partly derive from an earlier New York publishing collective called the Libertarian Book Club; it certainly has present links with other publishing collectives of similar orientation, such as Solidarity in Chicago and Black and Red in Detroit—which last year co-operated in publishing Peter Arshinov's rare but important eyewitness *History of the Makhnovist Movement, 1918-21*—and with Black Rose Books of Montreal, a survival of the student radicalism of the 1960s, which is now largely dominated by Canadian anarchists.

Free Life Editions appears to be broader in its appeal than the other three groups, at least if one is to judge from its record of publication and especially from the three little books it has recently issued, *The Politics of Obedience: The Discourse of Voluntary Servitude* by Etienne de la Boétie, *The State* by Franz Oppenheimer, and *A Primer of Libertarian Education* by Joel Spring.

The earlier publications of Free Life Editions were indeed fairly strictly within the line of anarchist orthodoxy. One was *The Unknown Revolution*, a massive and seminal work by Vsevolod Mikhailovich Eichenbaum, generally known as Voline. *The Unknown Revolution*, of which this was the first complete edition in English, was the best account, written by a leading anarchist who served as one of Nestor Makhno's advisers, of the Russian Revolution from the viewpoint of one of the more important revolutionary minorities, describing through non-Bolshevik eyes the events leading up to the October Revolution, telling of the subsequent persecution and suppression by the Cheka of the anarchist movement—particularly

after Kropotkin's death removed its one internationally known leader—and giving sympathetic accounts of Makhno's commune of revolutionary peasants in the Ukraine and of the Kronstadt revolt. The only other Free Life publication I know, apart from those I am at present reviewing, is a book by Sam Dolgoff on the agrarian collectives established at the time of the Spanish Civil War; it was a rather sketchy treatment of a fascinating subject, and has since been superseded by the first complete English edition of Gaston Leval's classic *Collectives in the Spanish Revolution*, which the venerable English collective, Freedom Press, founded almost ninety years ago by Kropotkin and his friends, has just published in an excellent translation by Vernon Richards.

The three recent Free Life titles certainly do not share the importance as neglected classics of the books by Arshinov, Voline and Leval which I have mentioned above, though one of them will interest students of anarchist history, if only because it has so often been mentioned as an ancestral text by writers from Kropotkin onward. This is Etienne de la Boétie's *Discourse of Voluntary Servitude*, translated by Harry Kurz, with an introduction by Murray N. Rothbard, and published now under the title *The Politics of Obedience*. The translation is good, the introduction is scholarly and illuminating, and all that one is in doubt about is whether the work itself, this very eloquent little essay, is more than a literary and historical curiosity. Etienne de la Boétie was a 16th-century poet and humanist, a pupil of the Huguenot martyr Anne du Bourg, a friend of Montaigne, and a lawyer whose precociously brilliant career as a judge was ended by his death in 1563 at the age of 32. He wrote the *Discourse* while he was still a law student at the University of Orléans, and circulated this argument for civil disobedience without publishing it; when Montaigne met him in 1559 he had already abandoned the views expressed in his youth, and he would probably have been indignant had he survived until 1576 to witness its first piratical publication by the Calvinists in Geneva.

The main thesis of the *Discourse* is in fact a very simple one which is made especially interesting because later writers of some distinction chose to elaborate it. Essentially it is that all government is based in opinion: that

George Woodcock is an historian, biographer and literary critic. He is editor of Canadian Literature and the author of Gandhi, and a study of Aldous Huxley. His latest book is Who Killed the British Empire (Quadrangle/The New York Times Book Co.).

even the cruelest tyrant rules only by the tacit consent of the people; that if the people unanimously withdrew their consent his rule would collapse; and that tyrannies do survive because people are corrupted by believing it to be in their interest to support the rule that crushes them. The *Discourse* clearly played its part in establishing the attitudes of the Enlightenment; Tolstoy read it with enthusiasm, and passed its central theme on to Gandhi in his *Letter to a Hindu*; Godwin must certainly have known the *Discourse*, but he may well have reached directly, through his own English dissenting heritage, the idea of social transformation by the withdrawal of consent that plays such an essential part in his *Political Justice*. The influence of the *Discourse*, then, was real, but now it is difficult to assess. In itself the essay remains a work of limpid if somewhat simplistic rationalism, as fresh and direct as one might expect from a valued friend of Montaigne.

The State is a forgotten minor classic by the pre-World War I German sociologist Franz Oppenheimer. As C. Hamilton points out in his introduction, it is one of the few books of any importance which analyze the state as a social phenomenon rather than rationalizing and justifying its operations. Oppenheimer's essential argument is that the state is based not on contract but always on conflict and conquest. He embodies this insight within an evolutionary attitude, which traces the state through its various ascending forms, and which allows him an optimism that few writers following a similar quest today would sustain so easily: he prophesies the final transformation of the state, so that mankind will eventually move forward "from war to peace, from the hostile splitting up of the hordes to the peaceful unity of mankind, from brutality to humanity, from the exploiting state of robbery to the Freeman's Citizenship." If Etienne de la Boétie tells us that it is simple to liberate ourselves, Oppenheimer tells us that we will inevitably be liberated. It is a shift from the human initiative to the inexorable operations of history, and it makes Oppenheimer an anti-statist without his being in any way an anarchist.

A Primer of Libertarian Education is the only one of these three recent Free Life publications that has not been published before. It is really a short and simple history in which Joel Spring traces a tradition of free education which he finds running from William Godwin, through various systems that were based on the child's initiative, down to the present day. What he is presenting is one of two possible libertarian approaches to education; the other, of course, is the form it is difficult for any

anarchistic theoretician to avoid, in which methodological liberation is negated by the desire to implant correct doctrine. Francisco Ferrer failed in this respect, and so, it appears, did some of the schools set up in American anarchist colonies, such as Stelton, during the early decades of this century. Indeed, a kind of self-denying resolution seems to be a necessity of any truly free education; the sacrificing of precept in the hope that the example of action will be sufficient, which is perhaps another way of expressing an early anarchist con-

tention that the only truly effective propaganda is that of the deed. Certainly it could be argued—and perhaps this is one of the few themes that emerge clearly out of Spring's *Primer*—that, as Herbert Read pleaded so eloquently in his *Education Through Art*, the creative deed must have priority over the instructing word, and for the deed to be creative it must as far as possible be voluntary. But we need a much more exhaustive and thorough work than Spring's essay to present such a thesis with conviction. □

Man, Woman and Rape

AGAINST OUR WILL: Men, Women and Rape. By Susan Brownmiller. Simon & Schuster. 472 pp. \$10.95.

HELENE E. SCHWARTZ

When I told people that I had been asked to review Susan Brownmiller's book, the uniform reaction was, "Don't do it." One friend told me that the book was "so politically important that any criticism you might have of it is secondary." Another told me that if I said anything bad about the book, I would be regarded as "an Aunt Thomasina, or whatever the women's movement equivalent is of an Uncle Tom." I recount these conversations not because they were intimidating but because they are indicative of the reflexive, almost jingoistic, response there has been to this book in certain circles.

Which is not to say that I disliked the book; I found it fascinating, enlightening and provocative. But I am disappointed in my peers who think that an uncritical acceptance of this book is necessary to maintain one's credentials as a feminist. Both as a woman and as a scholar, I have difficulties with the book which, while they do not overcome my positive feelings about it, I should be able to share without concern that I might be branded a traitor.

The overwhelming feature of Ms. Brownmiller's book, and the reason it has deservedly received so much attention, is that it offers a new vision of history, a vision from the woman's perspective. The underlying question in the

book is why have men historically had power and women not. The answer offered is that men have controlled women and each other through the use of force. In the case of women, the central manifestation of men's power is sexual force or, in the author's phrase, through the use of "the penis as weapon." Rape, as she sees it, is not a sexual act but an act of hostility against women and an exercise of power over them. And this power, as Ms. Brownmiller recognizes, is not merely physical but can be psychological or emotional, particularly when exercised by men in positions of authority.

To support her theory, Ms. Brownmiller has undertaken a study of the history of rape from ancient times to the present. The book contains chapters dealing with the origin of the laws of rape, the pervasiveness (and perversity) of rape during wartime, the sexual exploitation of black slave women and American Indian women, the question of interracial rape. There is discussion of the typical rapist and his victim. There are suggestions for law reform. There are reams of statistics.

Ms. Brownmiller is to be commended for the grand conception of the book and her courage in undertaking the project. But there were risks. In order to write this book, the author has necessarily invaded the provinces of psychologists, lawyers, anthropologists, sociologists, historians (of the law, the military, blacks, American Indians). Since she cannot be an expert in all fields, the book contains errors of fact and understanding which leave the author open to the charge of deficient scholarship. This may hurt her, because she has obviously devoted a great deal of time and emotion to her work. But even she must have realized that, given the scope of the book, this consequence was almost unavoidable.

Helene Schwartz is a lawyer and a member of the faculty of Rutgers-Camden Law School. Her book, Lawyering, to be published early next year by Farrar, Straus & Giroux, describes such aspects of her career as her serving as appellate counsel to the Chicago 8 and representing demonstrators at the 1972 national nominating conventions in Miami Beach.

Take, for example, the references to ancient Hebrew law. Ms. Brownmiller speaks of the rape of "betrothed virgins," but does not appear to understand that for the purpose of defining sexual offenses, betrothed women were considered as married. As a result, the author confuses the laws with respect to married and unmarried women. Sexual relations with a woman who was betrothed or married to someone else, whether forced or consensual, was a capital offense. The male partner was put to death. Ms. Brownmiller writes that "a married woman within the Hebrew culture who was victimized by rape was . . . stoned to death." The betrothed or married woman was put to death only if she had consented to the act; if she was forced, she was guiltless. Similarly, the Babylonian law cited by the author refers to consensual adultery, not rape, which is why both the man and the woman were executed. On the other hand, sexual relations with an unmarried woman was not a capital offense at all.

To the ancient patriarchs, the author writes, "rape could not be envisioned as a matter of female consent or refusal." This is inaccurate. The Bible distinguishes between seduction of an unbetrothed virgin, that is, where she had not been forced (Exodus 22:16-17) and her rape (Deuteronomy 22:28-9). In both cases, the man had to pay the bride price and, if the woman's father insisted, he had to marry her. However, in the case of rape, the attacker could not divorce his victim. And in Talmudic law, the damages for seduction were less than the damages for rape, because the woman was presumed to have consented to the pain because of her consent to the act. And as I previously pointed out, in cases involving the betrothed or married woman, her consent or ravishment determined whether she would be executed.

Ms. Brownmiller defines the ancient law of rape as "a property crime of man against man [with] woman . . . as the property." What she doesn't mention is that not just rape but any assault, against a man or a woman, was considered an offense against property (or more properly, a monetary offense). Burglary, robbery, fraud—most of our modern "crimes" were monetary offenses. To categorize rape as "a property crime" without saying anything more about the ancient legal structures is misleading.

The question is what impact errors such as these have on the central theme of the book. In the case of the inaccuracies just discussed, the answer is "not much." Ms. Brownmiller's contention in this section of the book is that the tribal patriarchs exercised complete pow-

er over women who (along with slaves and children) were regarded as men's property. Irrespective of the factual blunders, it is undeniable that in the ancient Near East, there were limitations on women as free, individual human beings. They did not have complete control over their own bodies and destinies and this, after all, is the heart of Ms. Brownmiller's disapproval.

The problem is that the questions I have about this section of the book make me wonder about other statements in areas where I have no expertise. Moreover, all theories rest on facts, and once people begin finding fault with the facts in the book, they are bound to question its theories. Without factual support, theories are nothing more than propaganda. This book should not be dismissed as mere propaganda, which is why the factual inaccuracies are disturbing. The new perspective Ms. Brownmiller offers is so thought-provoking that I wish the book were perfect.

An example of how her vision can re-educate us is the author's discussion of Eldridge Cleaver's explanation of

why he became a rapist. In his book, *Soul On Ice*, Cleaver described his rape of white women as "an insurrectionary act," which he justified because of "the historical fact of how the white man has used the black woman." Cleaver's sexist analysis was adopted with "astounding enthusiasm by white male radicals . . . as a perfectly acceptable excuse for rape committed by black men," writes Ms. Brownmiller, and she is right. In 1970, I hesitantly expressed my outrage at Cleaver's excuses for his attacks on women, and I was shouted down as a racist. I retreated in confusion, partly because I got no support from other women. With appropriate insight, Ms. Brownmiller now reveals the New Left hypocrisy for what it was. White men, not white women, were responsible for the sexual abuse of black women; so why should white women "pay" for it? The theology of the male-dominated "movement" called for the sacrifice of white women on the altar of black male aspirations and women (both black and white) were not sufficiently aware or united to denounce it. This sort of analy-

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Contest For New Poets

"Discovery"—THE NATION, '76" has been opened jointly by The Poetry Center of the 92nd Street YM-YWHA in New York City and THE NATION. The competition, now in its second year, represents a fusion of The Poetry Center's "Discovery" contest and THE NATION's poetry prize. It is designed to attract larger audiences for young poets through the combined media of publication and poetry recital.

Winners of the 1975 contest were Jean Feraca, Katha Pollitt, Gary Soto and David St. John. They gave a group reading at The Poetry Center on May 12, and their poems appeared in THE NATION of May 17.

Contest Information:

OPEN to poets whose work has not yet been published in book form. Book form includes chapbooks (small editions) and self-published books.

REQUIREMENTS: Ten poems (not more than 500 lines) of original poetry in English are to be submitted.

THE AWARDS: Each of the four winners will receive an honorarium of \$50 and will be invited to read at The Poetry Center on Monday, May 3, 1976. Each winner will have one previously unpublished poem printed in THE NATION magazine.

MANUSCRIPT DETAILS: Submit four complete sets of the ten poems, each set securely fastened. Your name, biographical information and information indicating whether a particular poem has been published should not appear on the poems. Instead, a separate cover page should include your name, address and phone number. Manuscripts will not be returned, so please retain a copy of your submission. THE NATION reserves the right to publish at its regular rates any previously unpublished poems.

JUDGING will take place in April; winners will be chosen by judges whose names will be announced after the contest is over.

DEADLINE for receipt of poems: February 9, 1976.

SEND ALL ENTRIES TO: The Poetry Center of the 92nd Street YM-YWHA, 1395 Lexington Ave., New York, N.Y. 10028. Direct inquiries to Marianne Clay, Assistant to the Director, The Poetry Center.

sis of history provides some of the most interesting parts of the book.

In spite of its overall value, there are people who will be justly offended by this book. Men and many women will not appreciate the fact that the author divorces rape from the spectrum of male-female relationships. Men are not all bad, power-hungry, physically brutal people. At one point I wrote in the margin of the book, "Doesn't she ever think of men as sources of pleasure?" Nor are women always that wonderful—but you wouldn't know it from this book. For instance, there is a whole subchapter on homosexuality in prisons. This is followed by an unsatisfactory paragraph on the problem of lesbianism in women's prisons (where the author describes the inmate hierarchy by using such terms as "nest building" and "extended family life") which says nothing about the terror of forced lesbian relationships. Sexual exploitation of women by women is as important as their exploitation by men, for (legal definitions aside) the broadest meaning of rape

BOSCH PAINTING

*Wind blows rags
from where it
suffers,
makes blood
splash loud.
Garments slash
about.
Watching skies
we see
nether ends
of suffering.
such grief and
never a scream.
We name names.*

David Ray

includes forced sexual attentions of any kind and by any person.

Sometimes the book is strident in tone and one-sided in presentation. But we should recognize the possibility that anger and extremism may be necessary before we can reach the mean of re-education that this book advocates. □

A Publishing Alternative

TAD CRAWFORD

American theatre survived the 1960s, and American fiction can survive the 1970s. This is so despite the fact that strains in the publishing industry have become increasingly visible over the last decade, strains due to inefficient business practices and the conglomerate structures into which most major publishing companies have been integrated. As a result, extensive reductions in the number of works of fiction and nonfiction of good quality are reflected in the 1975 lists of the commercial publishers; and recently came the disturbing news that half as many first novels were published in 1975 as were published in 1974. Clearly, if the survival of American fiction is to have the fullest cultural significance, a process similar to that which saved theatre must soon be initiated in book publishing.

At present, there is no adequate alternative to commercial publishing. The small presses and the university presses—which are, in the main, non-profit entities—lack capital or endow-

ments of the magnitude necessary to permit publishing and promoting books on a national scale. Foundation, state and federal grants to writers are likewise limited in terms of the funds available. Groups of writers who pay for the publication of their own work, such as the much publicized Fiction Collective, can contribute only marginally to filling the vacuum created by the activities of the immensely larger commercial publishers. Vanity presses, which also publish at the writer's expense, are generally unsatisfactory because they have little interest in the quality of the books they issue, since they derive their profits from the author's subsidy rather than from sales—and that factor further complicates the ordinary vagaries of distribution.

These shortcomings, however, at least point to the requisites for a viable alternative to commercial publishing. Briefly, there must be publishing houses that can: (1) be concerned primarily with quality, not revenues; (2) publish large selections of fiction and nonfiction; (3) promote and distribute on a national scale; (4) maintain book prices at attractive levels—perhaps 50 per cent of the comparable book prices charged by commercial presses; (5) give consideration to all manuscripts submitted to them; (6) remunerate writers adequately for work published.

Tad Crawford is a writer and lawyer, a member of Volunteer Lawyers for the Arts. He teaches a law course for artists at The School for Visual Arts in New York.

Nonprofit publishing houses of national scope could best satisfy all the listed requisites. Such a nonprofit cultural initiative would follow a model already proved successful in American theatre. Only a decade ago concern was frequently voiced for the survival of our serious theatre, but today nonprofit theatre has enabled men like Joseph Papp to introduce exciting talents and productions. Nonprofit presses, raising their funds in large part from grants and contributions, would be concerned only with quality. National scope—in quantity of books issued, in promotion and in distribution—would require that the capital of such presses be of a new magnitude, much as vastly increased support was necessary to advance nonprofit theatre. Promotion is crucial, since the public sensibility has to a substantial extent been conditioned to lesser quality by the advertising campaigns of the commercial publishers. The size of the endowment of these presses should be large enough to permit book prices to be subsidized in order to increase readership. Nonprofit presses would have no impediments to reading the manuscripts of unpublished and unrepresented writers, and could help create an atmosphere in which diversity is encouraged. Finally, some remuneration could be offered to writers of disparate cultural orientations, who, under the present commercial system, can expect little in material rewards.

Leadership and funding are the critical needs which must be met if such national nonprofit presses are to be established. As the plight of American theatre inspired personal sacrifice on the part of persons who loved the theatre and labored to insure its cultural survival, so the plight of American writing must arouse writers, editors, literary agents and readers to action. Funding will prove a difficult task, but it should not be impossible. Grants and support from individuals will have to be raised. Some income may come from the nonprofit presses themselves, once these are in full operation. Successful novelists might be persuaded to contribute new literary works to the presses as a new and useful form of patronage. Lobbying efforts could seek favorable changes in the tax laws to benefit such presses. There could be a far wider use of community fund-raising drives for the arts. These and other possibilities will be limited only by the desire and ingenuity of those who come forward to organize such national nonprofit publishing houses.

The challenge of creating a national literary endowment is much the same as the challenge already overcome by American theatre. If the model of the

theatre is a true guide, we are now waiting for the men and women of good will and imagination who can create an environment in which our literary heritage will not only survive but thrive as well. □

Book Marks

EMILE CAPOUYA

THE KIDNAPPED SAINT, and Other Stories. By B. Traven. Edited and with introductions by Rosa Elena Lujan and Mina C. and H. Arthur Klein. Lawrence Hill & Co. 198 pp. \$7.95.

Not all of B. Traven's writings are on the level of his novels, *The Death Ship* and *The Treasure of the Sierra Madre*. The first of these is a small masterpiece of literary naturalism that somehow achieves the mordancy of a Céline—and echoes Céline's ceaseless hysterical whine. The second is an illustrated lecture on the labor theory of value—Marxist version—successfully disguised as an adventure story. Garrulous, high-spirited and grubby, it was translated into a most entertaining film, and for that reason it is probably the best known of Traven's works. Traven is important because he was one of those writers who in our century helped to claim a new subject for literature, the greater part of humanity, doing the world's work for the kind of reward that people who read novels are rarely reduced to. If now and then we manage to see beyond stereotypes like "the toiling masses" or "the great unwashed," that may be due in part to the efforts of social visionaries and reformers, but also to the tradition of imaginative literature in which Traven was a pioneer. His small-scale epics are written with a particularity about "conditions" that enlarges our sense of the human condition.

In his lesser works, what makes Traven interesting is still his social irreverence and the didactic habit that seizes on object lessons where other writers see little but local color. Marxism makes the universe intelligible to him, as Catholicism does for Bernanos. Marxism with a difference: Traven's variety accepts the Marxist analysis of our economic behavior, but his sociology and his political ideals have an unmistakable flavor of IWW. His characteristic spokesman is the working stiff who has made the grand tour of the world's ill-paid employments, and knows—and is not reconciled to the knowledge—that society's institutions repose upon his aching back. Traven's language is

almost never elevated, and it is generally very well adapted to what he has to say. That language has always been the best clue to the identity of the man of many aliases and many life stories whose literary ventures flew "B. Traven" at the truck. Even twenty and thirty years ago, as literary journalism was spreading its sepia clouds around the subject, gleefully abetted by the masquerader himself, it should have been clear to anyone who could read that Traven's English was a brand of anonymous colloquial American, at once lively and flat—just the thing that a gifted foreigner who had lived hard in the Western states might pick up as he was on his way to becoming a sort of Joe Hill in prose—and laced with German idioms. Traven said, or had it said for him, that some of his books had been composed in English, translated and first published in German, then retranslated into English; that would account for a faint tincture of the foreign in his prose. No doubt, no doubt. In any case, we were glad enough to have this unusual writer composing in his version of our tongue.

The present collection of short stories, with which the publisher carries on the project of issuing as much of Traven

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as is available (it began while Mr. Lawrence Hill was a partner in the firm of Hill & Wang), is interesting chiefly for a personal memoir by Traven's wife, Rosa Elena Lujan, and for a document translated and presented by her fellow editors, Mina C. and H. Arthur Klein. It is called "In the Freest State in the World," and represents one number of a journal that Traven edited in Bavaria under another alias, "Ret Marut." An actor by profession, he had established himself in Munich in 1915, and thereafter founded his unconventional and semi-clandestine journal, *Der Ziegelbrenner* (*The Brickmaker*). Its aims were political, and its politics appear to have been a kind of individualist anarchism. When the German revolution broke out

in Bavaria in 1918, Traven wrote and proselytized in its behalf, hoping to influence it in a direction that would be at once radical and libertarian. But in 1919, Soviet Bavaria experienced its Thermidor: in the same wave of reaction that killed Karl Liebknecht and Rosa Luxemburg, "Ret Marut" was arrested and brought before a drumhead court. He probably owed his life to his escaping from detention. While a fugitive, he issued half a dozen further numbers of his journal. Then Traven was lost to sight, and that episode was ended.

But not the emotions and the values confirmed by the revolution. For years after that—until the triumph of Hitler—German Socialists, and their sympathizers as far away as the New World, sang a song whose chorus was:

*Dem Karl Liebknecht haben wir's
geschworen,
Der Rosa Luxemburg reichen wir die
Hand.*

("We have sworn an oath to Karl Liebknecht, and to Rosa Luxemburg stretched out our hands.") Something of that spirit animated Traven as, first in the United States and then in Mexico, he made himself the chronicler of less glorious lives.

A GANG OF PECKSNIFFS, and Other Comments on Newspaper Publishers, Editors and Reporters. By H.L. Mencken. Edited and with an introduction by Theo Lippman, Jr. Arlington House. 206 pp. \$8.95.

The title essay first appeared in Mencken's own Baltimore *Evening Sun* for May 2, 1922, and dealt with two news items. The first was the resolution that the American Newspaper Publishers' Association had just adopted at its annual convention: "That . . . the liberty of the press has been seriously threatened during the past year." The second was the report that two women had been arrested and jailed in Philadelphia for "distributing circulars which petition President Harding to grant amnesty to political prisoners." Mencken goes on to explain what had prompted the newspaper publishers to notice the threat to the liberty of the press—a bill introduced in Congress making it unlawful to mail any paper containing race-track information. And he draws the connection between Woodrow Wilson's jailing of Eugene Debs, the subsequent Palmer raid era, the view-hallooing after witches generally, and the influence on public opinion exercised by the newspapers which had helped make such practices respectable.

I am well aware, of course, that there were exceptional journals that

shrunk delicately from much of this swinery—that a few of them came forward with protests long before the race-track information bill alarmed the rank and file. I say a few, but at the moment I am sure of but two: the . . . [*Evening Sun*] and the New York *World*. The *World* was the first to gag, and then came the *Sunpaper*. By the time the Palmer buffoonery about radicals was at its height, both were in full revolt and trying to tell the truth. But it is not to be forgotten that even these very exceptional and almost miraculous gazettes ran a long way behind some of the weeklies and monthlies—that they were magnificently silent at the times the *Masses* and *The Nation* were attacked. In brief, they deserve very little praise for their revolt, for by the time they came to make it it was quite safe. When they were needed most desperately—when the aid of two such rich and powerful papers would have been most effective and valuable—they were silent. . . . But even so, they were a million times more honest and courageous than any other American newspapers. . . .

These preposterous fakes now begin to snuffle and blubber of the invasion of the Bill of Rights! Hit in the moneybag, they suddenly become fanatical devotees of the Constitution! It is my sincere hope that even Congressmen will have sense enough to penetrate the fraud. . . .

That's for openers. There is a good deal more writing on that level in this collection of Mencken's essays dealing with the practice of journalism. Mr. Theo Lippman, Jr., besides having had the wit to bring together samples of Mencken's reflections on his own trade, supplies by way of introduction an interesting account of the author's newspaper career.

FLESH IS HEIR: An Historical Romance. By Lincoln Kirstein. Southern Illinois University Press. 322 pp. \$7.95.

This novel first appeared in 1932, and is now reissued as part of the Lost American Fiction Series published by Southern Illinois University under the general editorship of Matthew J. Bruccoli. If the title of the series exaggerates somewhat—since it is the common fate of good books to be lost—the editor has nevertheless revived some very good books, including two novels by Edith Summers Kelley, one by Janet Flanner, and one by Robert M. Coates. In an afterword written for the new edition of *Flesh Is Heir*, Lincoln Kirstein offers an apology for this novel of his youth which is modest and graceful—and misleading in terms of contemporary canons of judgment. He says:

To grant that my novel was little

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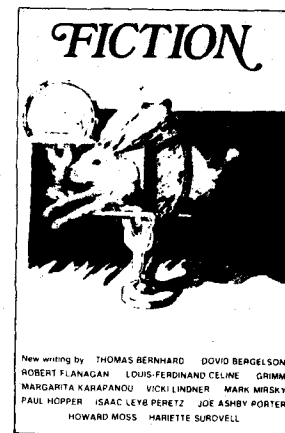
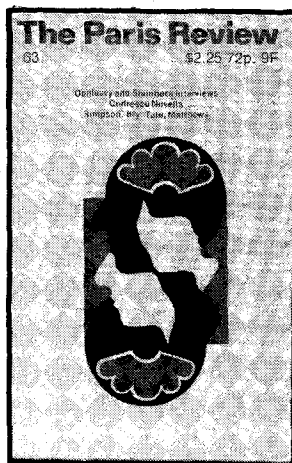
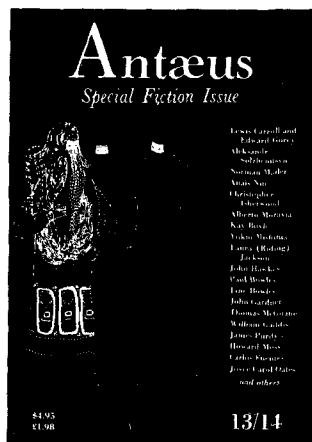
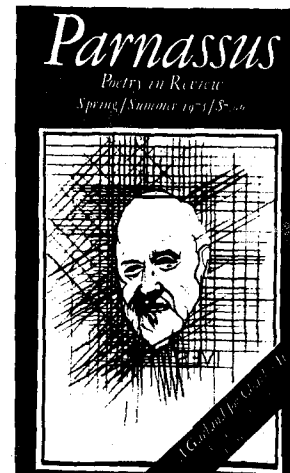
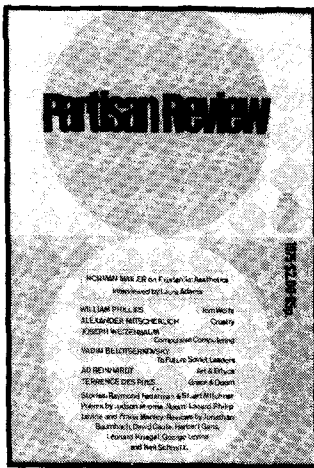
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more than autobiography would be an understatement. One reason that I never again completed another one was that while I had some sense of background, I was quite unable to realize characters with whom I had no firsthand contact. I could conceive of dramatic, or at least theatrical, situations, but I could not invent three-dimensional characters in any satisfactory depth. I was more interested in the problem of form and structure than in particulars of personality. People seemed to resolve into types and symbols; I had a predisposition to impose a factitious order where there was little apparent evidence. I proposed an episodic narrative in which the protagonist, named Baum (a tree), grew figurative leaves, if not fruit or blossoms. I had taken a famous course in Dante with Professor Grandgent, audited Whitehead's seminar in metaphysics, and was fascinated by J.L. Lowes' exploration of his *Road to Xanadu*. I knew that novels as well as epics should have a structural schedule, and I hoped to build for myself a scaffold, which today must only seem rude, naive, and pretentious.

Well, no. In terms of the reigning canons, Mr. Kirstein has been remarkably unfair to his book. Its seven sections are named "Flesh is fear," "Flesh is work," "Flesh is jail," "Flesh can not," "Flesh was fair," "Flesh is wrath," "Flesh is heir." That is neat, but it is also poetic, and each item in the catalogue is supported by the episode it marks, and gets support and expansion in turn. The sections are dated from 1922 to 1930, and show Roger Baum—who is more witness than agonist—at succeeding stages of boyhood and young manhood.

The first such section is the traditional "school story," and a splendid one; its 70-odd pages evoke the fever of young minds just beginning to break out of childish self-absorption, and issuing in baroque conduct; authors have used that setting since Mr. Kirstein, and have become celebrated for work that is less pointed and less eerily accurate. In "Flesh is work," Roger gets a job in a stained-glass factory—something to do between prep school and college—and enters the world of labor, to him fabulous as the land of Prester John. When he learns what laws prevail in the shop where men practice a medieval craft, he tries to suggest reforms. His failure reminds the reader that the arbitrary customs that arise from buying and selling are at least as powerful as truth. "Flesh was fair" is a wonderful account of the effect that Diaghilev's ballet produced upon its audiences—and just as suggestive and moving is Mr. Kirstein's quickly sketched portrait of a young American woman who is as caught up

by the spectacle as anyone else, but whose soul recoils from intimations in it that she can scarcely name. In "Flesh is heir," Mr. Kirstein recounts an heraldic marriage. A brilliant and disturbing young man marries into a family that has an island fief; horsemen and sailors, they are measured and courteous—and have no more "personality" than the characters of the *Iliad*. But the young man has immortal longings. He is either a beast or a god. The reader wonders if his marriage will civilize and subdue him, or if he will destroy the clan of aristocratic athletes that has received him.

The novel, then, is no small accomplishment. Yet, in a larger sense, Mr. Kirstein is right about his book. His disclaimer on his own account is an indirect description of the current state of novel-writing that pretends to seriousness. In such novels an abstract architectural plan does duty for passionate vision. Often, too, the plan is clear only to the author; the novel itself is apparently formless—something that encourages other writers to be formless on principle. At that point, willfulness, sensation, galactic aimlessness, or a grave concentration on the infinitely petty is given literary utterance. *Flesh Is Heir* prefigured that state of affairs—except that it was written when the locked-in goodness was still locked in.

THE BUREAUCRATIC STATE: Party Bureaucracy and the Decline of Democracy in America. By H.R. Shapiro. Samizdat Press. 366 pp. \$11.95. Paper \$4.95.

Disastrous wars, social disruption, inflation and unemployment—the stage is set for the emergence of unorthodox social theorists, and for their acquiring an audience. Emergence into the light of wide public discussion, that is; for the unorthodox we always have with us. The maverick in point, H.R. Shapiro, has been praised at various times, as the comments printed on the back of the book's cover attest, by responsible persons: Hannah Arendt (to whom this volume is dedicated), Lewis Mumford, Dwight Macdonald, W.H. Auden, George P. Elliot. The manner of his book is suggested by his adoption of a publisher called Samizdat Press, which is, as far as I can gather, an agreeable sobriquet for himself. His printer, I judge from peculiarities of the typesetting, is accustomed to doing legal books and documents. His proofreader is maddeningly deficient. His style is not always elegant, and he is repetitious in his language and arguments in a way that hints at piecemeal and sporadic composition of the various sections of his treatise.

As for Mr. Shapiro's matter, it is a kind of Americanism that is as dead as the passenger pigeon. Madison, Jefferson, Toqueville are its tutelary spirits, and what they tell the author is the virtue of that local self-government that is equally extinct among us but was at one time the practical and theoretical basis for the American experiment. The author details, state by state, the rise and fortunes of the two-party system and of the city, state and federal bureaucracies that together have stripped the localities of political initiative and effectively disfranchised the population of the great cities as well.

The author demonstrates convincingly that for the most part the two major parties are not concerned with winning elections on the city and state level, but with preserving the system of political accommodation that is the source of their power: in New York, for example, the Democrats have abandoned to the Republicans a near-plurality of upstate voters who, by all the usual indices—ethnic origin, religion, occupation—are prime material for Democratic recruitment; in New York City the Republicans, habitually and by design, run such weak candidates for mayor that only Republican-Fusion candidates have achieved office since I was a pup—and the Republican Party has in each case discountenanced the happy winner, and harassed him, and starved him of state funds because his victory threatened the all-important accommodation with the Democrats, whose fief New York City is. Mr. Shapiro's analysis of this and similar anomalies takes up a large portion of his book, and is national in scope.

He has an interesting excursus on the history of our public school system, and its decline from a condition of general local autonomy that he regards as the nursery of democratic sentiment and habits (he cites documents from the first half of the last century that show the system to have been deliberately instituted for just that purpose) to one usually administered by a statewide bureaucracy. And, clearly, boards of regents may be composed of learned men and women—though the phenomenon Mr. Shapiro calls to our attention, the cleansing of genuine academic content from academic curricula all over the country, and the exile of the notion of vocation from "vocational training," argues against that—but their existence does not encourage the parents of schoolchildren to review the aims of education as a function of their own active citizenship. The ultimate bureaucratization of education the author sees in the administrative decisions of the federal government that attempt to

further the goals of desegregation by means of bussing. The opponents of bussing advance so many questionable arguments against it that Mr. Shapiro must labor under obloquy-by-association if he opposes it too. Nevertheless, his reasons are very different, and they must give us pause. They point to an analogy, something that has often been remarked: when local schools in rural regions give place to the consolidated school, educational and moral standards do not rise—they simply tend to become homogeneous in the region served by the consolidated school. Perhaps the standard of school football improves, since the players are drawn from a larger pool; but the standard of football-playing in general declines, since the team excludes the majority of the students. Mr. Shapiro would not be guilty of so trivial an example, but I think one can read general consequences in it.

The final section of *The Bureaucratic State* is dedicated to reinstituting local self-government. Mr. Shapiro in effect denies that we have painted ourselves into a corner from which only a further extension of the power of city, state and federal government can extricate us. Blaming the bureaucratic state for our ills—including racism and economic distress—he offers grass-roots self-government as a general remedy. Why not? Town meetings do not declare war, or even subsidize bankrupt producers of war materiel. And here Mr. Shapiro quotes James Madison most appositely: "If you hold men to be incapable of self-government, why do you imagine that they can govern others?" Of course, it is not clear that local initiative can counter in any direct way the power of national and international corporations—of which the party system and the governmental bureaucracy are at least in part the political manifestation. But it would seem to be good in itself, and good in comparison with the essentially disfranchised condition of the residents of the large cities.

A note on the very last page reads: "This essay, *The Bureaucratic State*, is the 'draft' of a political history of the American Republic, scheduled to be published in 1976."

TROLLOPE: His Life and Art. By C.P. Snow. Illustrated with color plates and black-and-white reproductions of contemporary paintings and drawings. Charles Scribner's Sons. 191 pp. \$14.95.

"There's no art to find the mind's construction in the face." Trollope didn't look like a man of genius—or at least not as a man of genius should look. But at times he wrote like one, and that would

seem to be probative in the case.

One feels a certain compunction in admiring a collection of 19th-century pictures—not all of them immediately pertinent to the subject of this study, but intended to provide an appropriate atmosphere, a sort of incidental music—and a brief "life and works." But the pictures are handsome, and the biography is informative. Indeed, the pleasant tone and andante pace of C.P. Snow's text conceal the fact that it covers a great deal of ground: Trollope's personal life, insofar as history or reasonable speculation affords materials for an account of it, and his two professional careers as a novelist and civil servant. Any reader who is fond of Trollope may be interested to learn that he stood, unsuccessfully, for Parliament,—so that the scene and some of the peripeties of *Phineas Finn* and others of the half-dozen Palliser novels were drawn from personal experience. Unfortunately, *Phineas Finn* is pretty weak, for Trollope, though a novel whose like we should no doubt be happy to come upon in any contemporary publishing season; it is probably most noteworthy for being the first example in English of a story about a hero who has no distinction of character—the original "man without qualities." The fact that we are seduced into taking an interest in his adventures, parliamentary and amorous, shows that Trollope was a talented teller of tales. As for his genius, it seems that it was nourished chiefly by reflecting on the life of villages and of provincial towns, as if, to Trollope's apprehension, the plant, man, grew with more vigor in that setting. His novels of the great metropolis are animated but seem to lack the vital juices—a complaint that has been made of metropolises themselves. In *Phineas Finn* many excursions into the country revive the failing story, and the single most memorable scene is of a fox hunt, so spirited as to rival the wolf hunt in *War and Peace*.

The author did not write his extended essay as an agreeable accompaniment to some pictures, and so *Trollope: His Life and Art* can justly claim to be a book. What distinguishes C.P. Snow as a novelist, the sympathy that recognizes the dramatic character of the working of institutions, and accords them an appropriate dignity, is a very useful qualification for a biographer of Trollope. Others are common sense and a decent restraint, for there is little that is Dickensian or Eliotesque in Trollope's conduct or attainments, and a dose of extravagance would discredit this portrait. The puzzle remains. He didn't look like a genius, and he didn't give himself airs. How did he manage to write the *Barchinensis* novels? □

FILMS

ROBERT HATCH

Ken Kesey's *One Flew Over the Cuckoo's Nest* was a best-selling novel of the 1960s and was then made into a play that ran on Broadway with Kirk Douglas in the lead and has since been staged widely throughout the country. So it is probable that the general idea of the film, directed by Milos Forman and with Jack Nicholson in the lead (script by Lawrence Hauben and Bo Goldman), will be known even to moviegoers who, like me, have not read the book or seen the play. Briefly, then:

Randle P. McMurphy (Nicholson), a bright and impetuous jailbird, feigns lunacy and gets himself transferred to a state hospital, where, he hopes, living conditions will be more to his liking. He is assigned to a minimum security

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ward that is presided over by Nurse Ratched (Louise Fletcher), whose lust to dominate makes her approximately as mad as her charges and whose effect on them is anything but therapeutic. McMurphy, a sworn rebel against authority and a powerful hater of bullies, declares war on Nurse Ratched. He wins a number of hilarious skirmishes (small wonder that the book and play have been so successful), but in the end they cost him his life.

My impulse is to call *One Flew Over the Cuckoo's Nest* a most engaging fairy tale, with the salt of horror not uncommon in the genre. It is hard otherwise to accept the exceedingly bizarre career of inmate McMurphy. He is, in the first place, a marvelously successful healer of damaged minds, penetrating with faultless dexterity the surface foibles of his companions to find the hidden cores of sanity. Beyond that, the security procedures of the hospital are so excessively lax that McMurphy can hijack a busload of inmates, take them on an all-day ocean fishing trip and bring them home, happy, unharmed and displaying a bumper catch. When he decides to set the stage for his own departure to Canada, he has only to borrow the key to a window grating and in come a couple of willing girls (summoned by him on the office phone), armed with a case of mixed liquors and ready for love. The resulting saturnalia, with the hi-fi blasting at full volume and drunken eccentrics dancing through the corridors at three o'clock in the morning, passes unnoticed by the custodial staff and has a generally excellent effect on the revelers.

A fairy tale scene, surely, but that brings me to the somewhat enigmatic position of Dr. Dean Brooks in this whole

affair. Dr. Brooks is the superintendent of the Oregon State Hospital at Salem, where the film was made. Not only did he make his facilities available for shooting the picture, with members of the staff serving as technical consultants and a great many of the patients on the payroll as background actors, but he himself plays Dr. Spivey, the fictional hospital superintendent, a man of good will whose innocence (probably reinforced by laziness) traps him into thinking Ratched the finest nurse on his staff and McMurphy's manifestly phony nuttiness a possibly genuine mania.

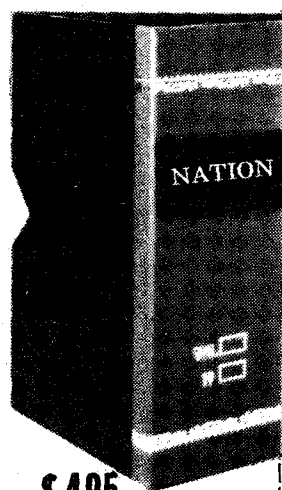
Presumably Dr. Brooks was not seduced by visions of a film career (in fact, he is a rather colorless actor), so he must have been willing to let his institution become associated in the public mind with indifference, stupidity and terrible cruelty in the care of the mentally sick because he thinks those conditions so prevalent that they must at any cost be advertised through the medium of a highly romantic and potentially very popular film. In short, that what Ratched is meant to represent (and Louise Fletcher plays her with blood-chilling credibility) is real.

But on this, you might say, social ground, *One Flew Over the Cuckoo's Nest* (or at least the film version) is less than satisfactory. Forman's superb dance of fools, led by the superb Nicholson in the guise of the far from foolish but fatally overconfident McMurphy, leads to nothing beyond its immediate and entirely justifiable goal of superior crowd pleaser. It's impossible not to whoop it up for the *Cuckoo's Nest* while watching it, but afterwards, what is one to think? Our mental hospitals may well be callous

custodial barracks for social misfits, but this movie centers on a certifiable monster, and the case is too extreme to exemplify the problem. Indeed, except for her, this looks to be a decent, useful hospital. True, McMurphy is subjected to a lobotomy, but the story is set some years back when lobotomies still had some clinical respectability as a way to control violent behavior, and McMurphy had come within seconds of strangling Ratched to death. And when you try to apply the film as a tract denouncing the general state of contemporary mental care, you come up against the fairy tale details and realize that this case will never stand up in court. Ratched is a witch and her patients are babes in the woods: you can't use that to attack the serious shortcomings of our hospitals for the mentally sick.

It is also being said that, "on another level," *One Flew Over the Cuckoo's Nest* symbolizes the struggle of the individual against "the system." Maybe so, but the same can be said of *Romeo and Juliet*, *David Copperfield* and *Alice in Wonderland*. The conflict between man and society is primal, and it is almost a tautology to say that a work of fiction symbolizes it.

So, although I'm left a bit puzzled as to Dr. Brooks's motives, I've decided that I enjoyed the picture because it is an action romance, worked out in wonderfully inventive detail and presented with mesmeric immediacy by one of the screen's most resourceful directors, who on this occasion had not only a smart and energetic cast but also ideal working conditions for his project. As a final example of entertainment pleasures, in the friendship between McMurphy and Chief Bromden (Will Sampson), a gigantic "deaf-and-dumb" Indian with the ears of a lynx and the poetic fatalism so often ascribed to his race, *Cuckoo's Nest* offers the most appealing instance of manly love since Steinbeck broke our hearts with the similarly incongruous George and Lennie in *Of Mice and Men*. Sampson, by the way, is not a professional actor but a painter, vice president of the Oklahoma Art Guild and a teacher and lecturer. If anyone could steal a scene from Jack Nicholson, Sampson is the man. But I don't really believe anyone could. □



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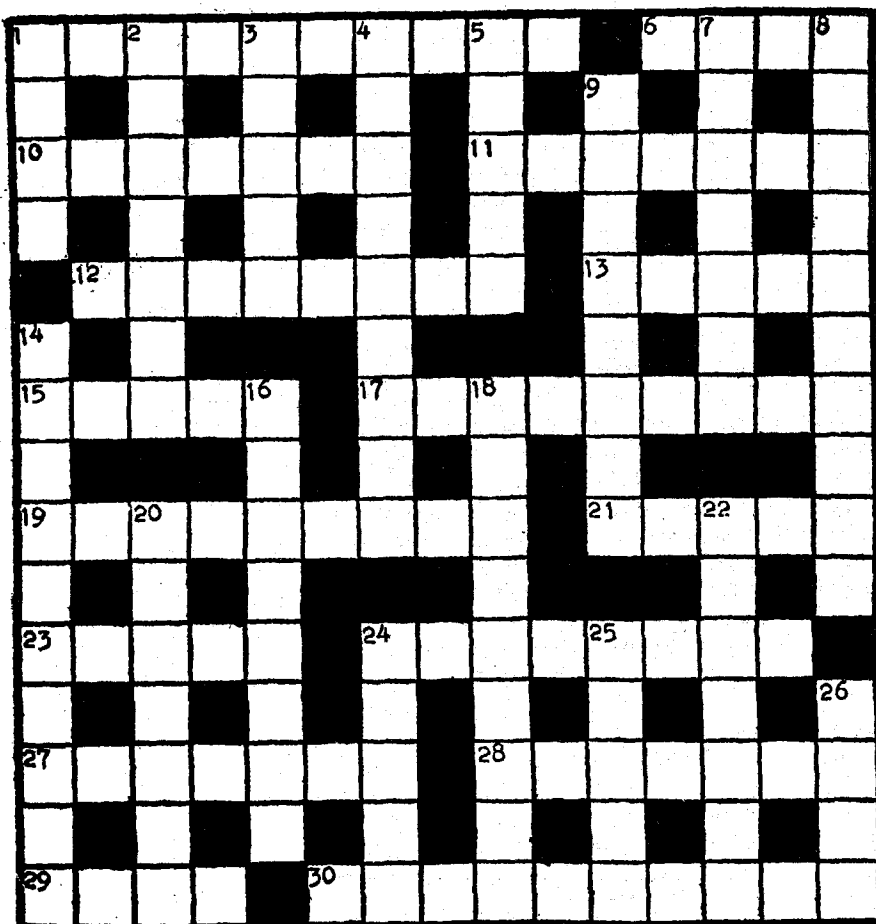
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- 1 and 6 How many juntas work, ordinarily? (2,1,7,4)
- 10 In the smartest rig, Germans show how to set things off, possibly. (7)
- 11 When the musicians are surrounded, they might have to, with this to show it's official. (7)
- 12 and 13 In the circus, it's the horse that is first, but the second might be occasionally first. (8,5)
- 15 Shaken with anger, at times. (5)
- 17 Understand, it's on the shelf—but you might acquire it with study. (9)
- 19 Where a serious discussion of a play might take place. (2,1,6)
- 21 Sounds a bit divine. (5)
- 23 Possibly a branch of society frequented by such as 24 across. (5)
- 24 Sham coin, perhaps, the last of which would be novel. (8)
- 27 Pertaining to a famous flower of Egypt. (7)
- 28 How to give notice of a very quiet get-up. (7)
- 29 and 30 It's simple to study a branch of 17, reputedly giving you no trouble with the rest. (4,10)

DOWN

- 1 and 14 Integral parts of a play such as "Mayhem"? (4,2,8)
- 2 What entered the Ark? Not a single one of them! (7)
- 3 Such a flyer is quite a bit below par. (5)

- 4 Tagged as being part of the listening equipment. (9)
- 5 and 20 The old moan of absence and almost a miss? (5,3,4)
- 7 There's no help for one who is. (7)
- 8 The kind of wine served in *Arsenic and Old Lace*. (10)
- 9 Sarah Gamp's protector. (8)
- 14 See 1 down
- 16 Poker game having tens wild, for those trying to get 17. (8)
- 18 All is not well if the engine does, if you'll arrange to save other components. (9)
- 20 See 5 down
- 22 A common man in a setting of blue that is reddish. (7)
- 24 Port associated with Portugal, returned in the Balboa campaign. (5)
- 25 If this place grew corn, it might be a good sign. (5)
- 26 It might determine the characteristics of such as McCarthy. (4)

SOLUTION TO PUZZLE NO. 1608

ACROSS: 1 Dead as a doornail; 9 Apelike; 10 Swallow; 11 Rotate; 12 Whittier; 14 Thresholds; 15 Lean; 17 Cash; 19 Adulterers; 22 Lionized; 23 Seseli; 25 A priori; 26 Swinish; 27 Keep Off the Grass. DOWN: 1 Diacritical mark; 2 Abetter; 3 Acid test; 4 Axes; 5 On schedule; 6 Roasts; 7 All-time; 8 Lower one's sights; 13 Bold relief; 16 Leveling; 18 Scourge; 20 Evelina; 21 Kimono; 24 Asch.

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